

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31313 of 2020

Arising Out of PS. Case No.-60 Year-2020 Thana- JANDAHA District- Vaishali

Sakindra Paswan, S/o Rajendra Paswan, Resident of Village-Hirpur, P.S.-
Jandaha, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is apprehending his arrest in connection with Jandaha P.S. Case No.60 of 2020 registered for the offence punishable under Sections 341, 323. 325, 337, 307, 427, 506 & 34 of the Indian Penal Code.

There is an allegation of indiscriminate assault with specific allegation levelled only against co-accused Uday Paswan, Vijay Paswan and Krishna Paswan.

Petitioner's counsel submits that even as per the F.I.R., specific allegation is only against the said co-accused persons. There is no specific allegation of assault against the petitioner. The F.I.R. has been lodged after three days of the incident, which indicates the falsity of the allegations. The



accused persons have also lodged a counter-case against the prosecution party, vide Jandaha P.S. Case No.66 of 2020. The petitioner has no criminal antecedents.

Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Vaishali at Hajipur, in connection with Jandaha P.S. Case No.60 of 2020, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond



will be liable to be cancelled.
This Court would expect that the petitioner’s counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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