

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33505 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- PATEPUR District- Vaishali

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1. BAIDHNATH PASWAN, Son of Late Lakhan Paswan, Resident of Village - Asama, P.S.- Patepur, District - Vaishali
 2. Suraj Paswan, Son of Sri Baidhnath Paswan, Resident of Village - Asama, P.S.- Patepur, District – Vaishali ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Muneshwar Prasad, Adv.

For the Opposite Party : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-03-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 08.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Patepur P.S. Case No. 56 of 2020, registered under Sections 147, 148, 149, 341, 323, 307, 427, 153, 188, 333, 392, 353 and 504 of the Indian Penal Code.

The accusation is that when the informant and other police personnel reached at the house of Baidhnath Paswan (petitioner no. 1) in village Asama, in connection with Patepur P.S. Case No. 17 of 2020, in which Baidhnath Paswan



(petitioner no. 1) was named as accused, then, 21 persons, including both the petitioners, and some unknown, having lathi, danda etc., damaged the police vehicle and they also tried to snatch the arms and ammunitions of police party.

Submission is that while both the petitioners are named in the first information report, but, no overt act has been attributed against them and duo to enmity with the local Chowkidar, names of the petitioners have been disclosed by the local Chowkidar. Further, submission is that Anita Devi and eight others have already been allowed the privilege of pre-arrest bail in Cr. Misc. No. 24639 of 2020.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Patepur P.S. Case No. 56 of 2020 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the I/C Additional Chief Judicial Magistrate, Vaishali at Hajipur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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