

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29512 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- PARAIYA District- Gaya

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SRIKANT PASWAN Son of Ganauri Paswan Resident of Village- Uprahauli,
Police Station- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35282 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- PARAIYA District- Gaya

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RAMADHAR PASWAN S/o Ganauri Paswan R/o village- Uprahauli, P.S.-
Paraiya, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 29512 of 2021)

For the Petitioner/s : Mr. Virendra Prasad, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

(In CRIMINAL MISCELLANEOUS No. 35282 of 2021)

For the Petitioner/s : Mr. Virendra Prasad, Adv.

For the Opposite Party/s : Mr. Mustaq Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2022 Both the cases are being heard and disposed of

together as both of them arisen out of same police station case

being Paraiya P.S. Case No. 183 of 2020.

Heard learned counsel for the petitioners and the

learned A.P.P. for the State through video conferencing.

The petitioners seek bail in connection with Paraiya

P.S. Case No. 183 of 2020 registered for the offence under



Sections 447, 323, 324, 308/34 of the Indian Penal Code.

The informant is subjected to assault by the accused persons by lathi and spear i.e. Bhala.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. In fact, the parties happen to be gotia and there is admitted land dispute between them and on account of same, these petitioners have been implicated in this case. He further submits that it appears from the F.I.R. itself that there is general and omnibus allegation against the petitioners. Although there is allegation of assault against the petitioners to the informant but according to the injury report, the injuries sustained by the informant are simple in nature. The petitioners, who are of clean antecedent, are rotting in judicial custody since 20.08.2020.

Learned counsel for the informant and learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Paraiya P.S. Case No. 183 of 2020 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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