

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43118 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- MANPUR District- Nalanda

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1. RAKESH PASWAN S/O AWADHESH PASWAN RESIDENT OF VILLAGE- MUSTAFFAPUR, PS MANPUR, DISTRICT-NALANDA
 2. MANISH PASWAN S/O AWADHESH PASWAN RESIDENT OF VILLAGE- MUSTAFFAPUR, PS MANPUR, DISTRICT-NALANDA
 3. RAMAKANT PASWAN S/O SHRAWAN PASWAN RESIDENT OF VILLAGE- MUSTAFFAPUR, PS MANPUR, DISTRICT-NALANDA
 4. SADAN PASWAN S/O LATE CHARITRA PASWAN RESIDENT OF VILLAGE- MUSTAFFAPUR, PS MANPUR, DISTRICT-NALANDA
 5. SHIVALAK PASWAN S/O LATE CHARITRA PASWAN RESIDENT OF VILLAGE- MUSTAFFAPUR, PS MANPUR, DISTRICT-NALANDA

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binit Kumar
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148,



149, 341, 504, 506 & 307 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation of causing injury to one Fruti Kumari has been attributed against Subodh Paswan @ Bittu. Similarly situated co-accused, namely, Rajaram Paswan and others have been enlarged on bail by a co-ordinate bench of this court vide order dated 09.06.2022 passed in Cr. Misc. No. 33284 of 2021. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Manpur P.S. Case No.69 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,



subject to further condition that

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioners shall cooperate 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 his absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the learned Court below.

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

(Anjani Kumar Sharan, J)

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