

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48459 of 2021**

Arising Out of PS. Case No.-75 Year-2009 Thana- BAKHARI District- Begusarai

SULO PASWAN @ SURENDRA PASWAN Son of Ganeshi Paswan @
Nageshi Paswan Resident of Village - Mauzi Than Singh, P.S. Bakhri, District
- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv

For the Opposite Party/s : Mr.Ashok Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

5 24-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Two supplementary affidavits, carrying out necessary correction in the main petition, has been filed on behalf of the petitioner, which are kept on record.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341,323,324,34 of the Indian Penal Code.

The prosecution case, in short, is that one Dinesh Paswan lodged an FIR stating therein that on 11.05.2009 his



cousin and his uncle came to his home and altercation took place on the issue of some land and money and this petitioner and alongwith others assaulted the informant with lathi and danda and one Savita Devi hit with the Farsa on the informant as result the informant sustained injuries.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the petitioner has been granted police bail on 14.05.2009 but after issuing summons, the summons was not served to the petitioner and in the meantime NBW was issued and since 01.07.2021 the petitioner is in custody. He further submits that in fact the petitioner after getting police bail he went to Punjab for his livelihood and this petitioner has no knowledge with regard to that after getting police bail he has to appear before the court concerned.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 learned Court below



where the case is pending in connection with Bakhri Police Station Case No.75 of 2009, with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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