

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44481 of 2022

Arising Out of PS. Case No.-282 Year-2021 Thana- BASOPATTI District- Madhubani

1. VEENA DEVI @ BINA DEVI Wife of Amit Paswan
2. AMIT PASWAN S/O BABULAL PASWAN
3. BABLU PASWAN S/O BABULAL PASWAN
All Resident of Village- Bhagirathpatti, P.S.- Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-11-2022 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.

Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323,341,379,308,504,506/34 of IPC.

The prosecution case, in short, is that the informant alleged that petitioner No.1 pressed the Hydrosil of the informant and petitioner Nos.2 and 3 assaulted with iron rod on



the neck of the informant and petitioner No.1 took away Rs.15000/- from his pocket and also took away golden chain and watch and thereafter they all attacked on the informant and they also scattered the documents and machine of PDS shop. Thereafter the co-villagers assembled who rescued him he is being treated at Government Health Centre Basopatti.

Learned counsel for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case, Further submits that there is case and counter case and allegation as alleged in the FIR does not support by the medical evidence (Annexure-3).

Learned counsel for the informant fairly submits that as per instruction the compromise has been made between the parties.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 court below where the case is pending in connection with Basopatti P.S. Case No.282 of 2021, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other 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 bonds shall be cancelled 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 antecedents, 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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