

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58172 of 2021

Arising Out of PS. Case No.-245 Year-2021 Thana- BHABHUA District- Kaimur (Bhabua)

1. Shashi Paswan S/O Late Bhikhari Paswan R/O Bhabua Ward No. 25, P.O And P.S-Bhabua, District-Kaimur At Bhabua.
2. Pachchu Paswan @ Ajay Paswan S/O Sri Bechan Paswan R/O Bhabua Ward No.25, P.O And P.S-Bhabua, District-Kaimur At Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-04-2022 Let the defects, if any, be removed within four weeks from today.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered in connection with Bhabhua P.S.Case No. 245 of 2021 for the offences punishable under Sections 341, 342, 323, 325, 307, 379/34 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 15.05.2021, eleven named accused persons and 20 to 25 unknown persons came with lathi, danda and iron rod assaulted the informant.



Learned counsel for the petitioners submits that there is general and omnibus allegation against all the accused persons . It is also alleged that these two petitioners assaulted the informant with iron rod but from the injury report, it appears that injuries sustained by the injured, is simple in nature . It is further submitted that there is counter version which has been filed by co-accused Rahul Paswan son of co-accused Ganesh Paswan. It is next submitted that petitioners are in custody since 21.05.2021 and 10.06.2021 respectively. Investigation has already been completed.

The learned A.P.P opposed the prayer for bail of the petitioners and submits that petitioner no. 1 has one criminal antecedent and petitioner no. 2 has two criminal antecedent, which is mentioned in Para-3 of the petition.

Having heard the rival contentions of the parties and taking into consideration the fact that, there is general and omnibus allegation and moreover, injuries sustained by the injured, is simple in nature, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Bhabhua P.S.Case No. 245 of



2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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