

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49513 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- GURUA District- Gaya

1. Mahendra Paswan S/o Late Pun Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
2. Awadhesh Paswan S/o Late Pun Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
3. Subhash Paswan @ Subhash Gahlaut S/o Late Kalicharan Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
4. Dinesh Paswan S/o Late Kalicharan Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
5. Chandra Mohan Kumar S/o Sanjay Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
6. Rekha Devi W/o Subhash Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
7. Kanchan Devi W/o Kishore Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
8. Rachana Kumari W/o Raj Nandan Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
9. Sonfa Devi @ Soni Devi W/o Dhananjay Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.
10. Munni Devi W/o Sanjay Paswan Resident of Village- Baiju Bigha, P.S.- Gurua, District- Gaya.

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s	:	Mr. Suresh Kumar, Advocate Mr. Arun Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, A.P.P.
For the Informant	:	Mr. Manish Kumar No. 2, Advocate Mr. Gajendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-12-2022 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

Learned counsel for the petitioners is permitted to



remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code.

According to the prosecution case, all the accused persons including the petitioners have assaulted the informant and his family members with lathi and rod due to which they all sustained injuries.

Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons and there is specific allegation against the co-accused person, namely, Dhananjay Paswan who assaulted the informant with rod on his head. He further submits that there is case and counter case between the parties and there is admitted land dispute between them. He further submits that there is no specific allegation as attributed against the petitioners.

The learned counsel for the informant has



vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Gurua P.S. Case No. 01 of 2022, 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 bond shall be cancelled by the Court below.

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

3. 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 his 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)

Vanisha/-

U		T	
---	--	---	--

