

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58179 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- SALIMPUR District- Patna

1. GANESH PASWAN Son of Dudhnath Paswan Resident of Sonbarsa, P.S- Salimpur, Dist- Patna
2. Manisha Paswan Son of Dudhnath Paswan Resident of Sonbarsa, P.S- Salimpur, Dist- Patna
3. Manoj Paswan Son of Mahendra Paswan Resident of Sonbarsa, P.S- Salimpur, Dist- Patna
4. Baruk Paswan Son of Bhukalu Paswan Resident of Sonbarsa, P.S- Salimpur, Dist- Patna
5. Bira Paswan Son of Baruk Paswan Resident of Sonbarsa, P.S- Salimpur, Dist- Patna
6. Sikandra Paswan Son of Baruk Paswan Resident of Sonbarsa, P.S- Salimpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Pallavi, Adv
For the Opposite Party/s : Mr.Zainul Abedin,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Salimpur P.S. Case No. 72 of 2020 for the offence registered under sections 147, 148, 149, 323, 307, 379, 504, 506 of the Indian Penal Code.

As per the prosecution story, the informant has alleged that when he was returning from Chiriaya and was near the house of Mahesh Paswan, in the meantime, the accused persons came and allegation is that Arvind Paswan



assaulted on the head of Mahesh Paswan by means of 'Farsa' and when the informant went to his rescue, all the accused persons assaulted him and satched 10,000/- from the pocket of Dharmendra Paswan and threatened him of dire consequences.

Learned counsel for the petitioner submits that a bare perusal of the FIR would show that the allegation is against Arvind Paswan and Gaurav Paswan and there is omnibus allegation is against these petitioners. Further, the petitioners do not have criminal antecedents.

Learned APP opposes the prayer for bail of the petitioner.

Considering the fact that there is no specific allegation against these petitioners, they do not have criminal antecedents and specific allegations are against the FIR named accused as stated above, this court is inclined to extend her privilege of anticipatory bail with conditions.

Let the petitioners be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Barh, Patna in connection with Salimpur P.S. Case No. 72 of 2022,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show their bona fide;

(ii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

N.K/-

(Rajiv Roy, J)

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