

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68326 of 2023

Arising Out of PS. Case No.-554 Year-2023 Thana- MASAUDHI District- Patna

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1. Nitish Kumar, Son Of Suresh Paswan, Resident Of Village- Mohaddinpur @ Mohiddinpur, Ps- Masaurhi, Distt- Patna
 2. Navlesh Kumar @ Naulesh Kumar, Son Of Suresh Paswan, Resident Of Village- Mohaddinpur @ Mohiddinpur, Ps- Masaurhi, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Masaurhi P.S. Case No. 554/2023, lodged on 06.08.2023 under
Sections 341, 323, 325, 307, 504/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against four named accused persons including the
present petitioners with allegation of assaulting the informant
and his father with lathi, danda and iron rod.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence. In fact
there is case and counter case between the parties. He further



submits that for the same date of occurrence, petitioner No.2 has lodged Masaurhi P.S. Case No. 556/2023 on 06.08.2023 at 6.30 P.M. whereas the present case has been lodged on 06.08.2023 at 7.45 P.M by the informant. It is further submitted that both the petitioners and the informant are resident of the same village. The antecedent of the petitioner is clean and he is in custody since 07.08.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Masaruhi, Patna in connection with Masaurhi P.S. Case No. 554/2023, subject to the as laid down under section 437(3) Cr.P.C as well as following conditions:

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

(ii) 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 bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

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

(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 the bail bonds.

(Dr. Anshuman, J)

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