

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65921 of 2022

Arising Out of PS. Case No.-144 Year-2015 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Babban Paswan S/o Late Ram Chandra Paswan R/o Village- Karor, Khanjanpur, P.S.- Cheriya Bariyarpur, Distt- Begusarai.
 2. Gopal Paswan S/o Kesho Paswan R/o Village- Karor, Khanjanpur, P.S.- Cheriya Bariyarpur, Distt- Begusarai.
 3. Hari Charan Paswan S/o Late Uchit Paswan R/o Village- Karor, Khanjanpur, P.S.- Cheriya Bariyarpur, Distt- Begusarai.
 4. Dharmendra Paswan @ Kuchhuwa Paswan S/o Kesho Paswan R/o Village- Karor, Khanjanpur, P.S.- Cheriya Bariyarpur, Distt- Begusarai.
 5. Natho Miya S/o Md. Hadish R/o Village- Karor, Khanjanpur, P.S.- Cheriya Bariyarpur, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

In the present case, the petitioners are apprehending
their arrest in connection with Cheriya Bariyarpur P.S. Case No.
144 of 2015, registered for the alleged offence under Sections
147, 148, 149, 447, 379, 427 and 504 of the Indian Penal Code.

As per prosecution case, some unknown miscreants



destroyed the maize crops of the informant and also took away the grain, causing loss of Rs. 1,00,000/- (one lakh) to the informant. The name of the petitioners transpired during investigation as the accused persons.

Learned counsel for the petitioners submits that petitioners have been named in this case on saying of co-villagers and they have been arraigned as accused in this case merely on suspicion. There is no eye witness of the occurrence and petitioners have no dispute with the informant. The petitioners have been named merely on hearsay by the informant. No recovery was made from the possession of the petitioners.

Learned A.P.P. for the State opposes the prayer for bail submitting that the petitioners harvested the maize crop, causing loss to the informant.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that there is no specific allegation against the petitioners, who have not been named in the FIR, let the petitioners, above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Manjhaul Begusarai/concerned court in connection with Cheriya Bariyarpur P.S. Case No. 144 of 2015 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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