

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75736 of 2023**

Arising Out of PS. Case No.-192 Year-2023 Thana- KHODAWANDPUR
District- Begusarai

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1. DEVI LAL PASWAN @ DEV NARAYAN PASWAN SON OF LATE ACHHELAL PASWAN RESIDENT OF VILLAGE - SAHPUR, P.S. - KHODAWANDPUR (CHHAURAH I OP), DISTRICT - BEGUSARAI
 2. PRAMOD PASWAN SON OF GANDHI PASWAN RESIDENT OF VILLAGE - SAHPUR, P.S. - KHODAWANDPUR (CHHAURAH I OP), DISTRICT - BEGUSARAI
 3. LAXMI KUMAR SON OF DEVI LAL PASWAN @ DEBI LAL @DEO NARAYAN PASWAN RESIDENT OF VILLAGE - SAHPUR, P.S. - KHODAWANDPUR (CHHAURAH I OP), DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-11-2023 Heard Mr. Abhay Shankar Singh, learned counsel for

the petitioner and Mr. Pramod Kumar Pandey, learned A.P.P. for

the State.

The petitioners apprehend their arrest in connection
with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 192 of 2023
registered for the offence under Sections 341, 323, 307, 504/34
of the Indian Penal Code.

The petitioners along with others are alleged to have
assaulted the informant and his family members by means of rod
and lathi causing injury to them.



Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioners have not committed any offence. He further submits that it appears from the F.I.R. that the no specific allegation of assault or any overt act is attributed to the petitioners rather there is general and omnibus allegation leveled against the accused persons including the petitioners. He further submits that due to land dispute, the present occurrence took place in which both sides have sustained injuries for which case and counter case have been lodged by the parties.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, 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 learned S.D.J.M., Manjhaul, Begusarai in connection with Khodawanpur (Chhaurahi O.P.) P.S. Case No. 192 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the 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 canceled by the Court below.

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

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 their 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)

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