

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18191 of 2024

Arising Out of PS. Case No.-768 Year-2023 Thana- ARA NAWADA District- Bhojpur

1. Pappu Paswan @ Pappu Prasad Son Of Tirthnath Paswan @ Tirah Paswan Resident Of Village- Bahiro, Ps- Nawada Ara, Distt- Bhojpur
2. Julush Paswan Son Of Late Ramdhani Paswan Resident Of Village- Bahiro, Ps- Nawada Ara, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Manoj Kumar Singh, learned counsel for the petitioners and Mr. Ram Bilash Roy Raman, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Ara Nawada P.S. Case No. 768 of 2023, F.I.R. dated 02.11.2023 for the offences punishable under Sections 341, 323, 504, 506, 354(a), 307 and 34 of the Indian Penal Code.

3. According to prosecution case, petitioners are said to have assaulted the informant by means of *lathi*, *danda*, *bricks* and *stones*.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act rather general and omnibus allegation against all the accused persons including the petitioners. He further submits that although the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 768 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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 bonds 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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