

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35239 of 2024

Arising Out of PS. Case No.-25 Year-2023 Thana- TARAPUR District- Munger

1. Kamdeo Paswan son of Hari Paswan Village- Sarona Ps- Tarapur Dist- Munger
2. Ramdeo Paswan Son of Hari Paswan Resident of Village - Sarona, P.S. - Tarapur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Tarapur P.S. Case No. 25 of 2023, instituted for the offences punishable under Sections 147, 149, 323, 307, 448, 324, 337, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioners along with other co-accused persons armed with deadly weapons assaulted the informant and his brother with iron rod due to which they sustained injury on their head, chest and mouth.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case and charge has also been framed against the petitioners on 16.03.2024. No incriminating material has been recovered from the conscious possession of the petitioners. There is case and counter case between the parties. The injury received by the informant and his brother is found to be grievous in nature. It is further submitted that petitioner no. 1 has also sustained injury in the counter case. The petitioners are in custody since 22.11.2023 and have got one criminal antecedent in which the petitioners are on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, case and counter case between the parties and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tarapur P.S. Case No. 25 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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