

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54844 of 2024

Arising Out of PS. Case No.-149 Year-2022 Thana- KORANSARAI District- Buxar

Vinod Paswan Son Of Loha Paswan, Village- Bankat, Ps- Koransarai, Dist-
Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Koransarai P.S. Case No. 149 of 2022 dated 12.12.2022 instituted for the offence punishable under Sections 448, 147, 148, 149, 341, 323, 379, 307, 427, 504, 506 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, the petitioner along with other accused persons armed with lathi, rod, *rama* etc. came to the house of the informant and started assaulting, due to which the informant and his family members sustained injury. During the course of occurrence, the accused persons also took out Rs. 2000/- from his pocket and a mobile phone.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that F.I.R. has been lodged against 14 accused persons including the petitioner. There is no specific allegation against the petitioner rather the allegation levelled against the petitioner is general and omnibus. Both the parties are co-villagers. Lastly, it has been submitted that petitioner has four criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Koransarai P.S. Case No. 149 of 2022, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Court No. 6, Buxar, subject to condition as laid down under Section 438(2) of the Cr.P.C., as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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