

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58784 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- NIMACHANDPURA District- Begusarai

1. RAMANAND PASWAN SON OF SIKANDAR PASWAN RESIDENT OF VILLAGE - DANDAMA, P.S. - NEEMACHANDPURA, DISTRICT - BEGUSARAI
2. MITHILESH PASWAN SON OF RAM BAHADUR PASWAN RESIDENT OF VILLAGE - DANDAMA, P.S. - NEEMACHANDPURA, DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mrs.Anita Kumari APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 21-01-2025 Heard the parties.

2. The petitioners are in custody in connection with Nima Chandpura P.S. Case No. 98 of 2023 for the offence registered under sections 147 and 307 of the Indian Penal Code lodged on 10.07.2023 by the informant, Dharmendra Paswan.

3. As per the prosecution story, the informant alleged that while he was returning after doing his work as a labour, the accused persons surrounded and assaulted. Firstly, omnibus allegation is against all the accused persons of causing injury on his head and later specific allegation is against these petitioners of repeating it by giving iron rod blow on the head, causing serious injury. He was shifted to the hospital of Dr. Ram Naresh



Singh whereafter the FIR,

4. It is the case of the petitioners that earlier their bail application was rejected on 07.03.2024 in Cr. Misc. No. 82775 of 2023 and have remained in custody since 14.03.2024 (para-12 of the petition). Further, if granted bail, they shall be appearing in the trial diligently. The last contention is that irrespective of the outcome of the present case and or accepting the allegation, they intends to pay 15,000/- each totalling Rs.30,000/- (Thirty thousand) to the informant to be paid through the demand draft issued by the local State Bank of India branch in favour of the informant and submit before the concerned Court.

5. Learned APP opposes the prayer submitting that though the petitioner no.2 has no criminal antecedent while petitioner no.1 has two criminal antecedents.

6. Considering the aforesaid facts and the fact that though the assault made by the petitioners and the injuries on the victim have been found to be grievous, considering that they are in custody since 14.03.2024 and have undertaken that they will be diligently appearing in the trial, this Court is inclined to extend them the privilege of bail subject to payment of Rs.15,000/- each (Total Rs. 30,000/-) through demand draft



issued by the local State Bank of India in favour of the informant/victim which shall be handed over after checking the credentials.

7. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-XI, Begusarai, Bihar in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for one year to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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