

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68822 of 2018

Arising Out of PS. Case No.-146 Year-2018 Thana- BAHADURPUR District- Darbhanga

Pawan Kumar Paswan @ Babban Paswan, Son of Late Asharfi Paswan,
Resident of Village- Kabrichak, Police Station- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Ashfaq Ahmad, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Bahadurpur P. S. Case No. 146 of 2018 registered under
Sections 353, 387, 401 and 414 read with 34 of the Indian Penal
Code.

Learned counsel for the petitioner submitted that from
perusal of the FIR itself, it would transpire that none of the
ingredients of the offences alleged are attracted in the present
case. He further contended that there is no allegation that the
petitioner deterred any public servant in discharge of his official
duty. There is also no allegation that any stolen article was
recovered or the petitioner had threatened anyone with dire
consequences.



Learned Additional Public Prosecutor for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the allegation made in the FIR which is based against the petitioner on wild suspicion and hypothetical presumption, in the event of arrest or surrender before the court below within six weeks from today, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M, Darbhanga in connection with Bahadurpur P. S. Case No. 146 of 2018 , subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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