

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13263 of 2019

Arising Out of PS. Case No.-672 Year-2018 Thana- ARA NAWADA District- Bhojpur

1. Butan Paswan, aged about 25 years, Male, Son of Ramesh Paswan Resident of Village- Sri Tola, Police Station- Ara Nawada, District- Bhojpur.
2. Dhruv Paswan, aged about 26 years, Son of Bhuneshwar Paswan @ Matar Paswan.
Resident of Village- Sri Tola, Police Station- Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar
For the Opposite Party/s	:	Mr. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Ara Nawada P.S. Case No. 672 of 2018 registered for offences under sections 341, 323, 353, 504, 506/34 of the Indian Penal Code and Section 45 of the Bihar Prohibition and Excise Act, 2016.

In the present case, an allegation has been made that the police party, on receipt of secret information, moved towards the railway track where the accused persons were standing. Looking to the police party, they started to flee away. While returning to the bus-stand, 8-10 boys along with Butan



Paswan, Dhrub Paswan and Ranjan Paswan surrounded the policy party and allegation has been made that they prepared a video of the police party of demanding money and also said that they are working for Rakesh Bhaiya who is a journalist used to print news in the paper and threatened that they will release the video in social media.

Learned counsel for the petitioner submits that there is no allegation of keeping wine. It is a concocted story prepared by the police party.

The petitioner no.2 has a criminal antecedent.

In view of the above, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no.2. Accordingly, the prayer for anticipatory bail of the petitioner no.2, above named, is rejected.

Looking to the entire facts and circumstances of the case, let the petitioner no.1, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional District Judge – cum – Special Judge, Excise Act, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 672 of 2018 subject to the



conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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