IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49500 of 2019

Arising Out of PS. Case No.-662 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

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1. Sunil Paswan S/o Dashai Paswan,
2. Rakesh Kumar S/o Ram Pravesh Paswan,
3. Lalan Paswan S/o Mahendra Paswan,
4. Mahadeo Paswan S/o Late Satyug Paswan,
5. Raghuvir Paswan S/o Mahadeo Paswan,
   All are resident of Village- Patiyasa, P.S.- Ahiyapur, District- Muzaffarpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 07-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Ahiyapur P.S. Case No. 662 of 2019 registered for offence punishable under sections 290, 341, 307, 325, 353, 427, 504, 506/34 of the Indian Penal Code, 37 (B)/37 (C) of Bihar Prohibition and Excise Act, 2016 and sections 3/4 of the Prevention of Damage to Public Property Act, 1984.

Allegation has been made that Dashai Paswan was in drunken condition, the police had gone to arrest him which was obstructed/objected by the villagers. Further allegation has

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been made that they have altercated and pelted stones.

The learned counsel for the petitioners submits that they have not received any injury and only in order to implicate these petitioners the false story has been fabricated.

The State counsel submits that they have not only obstructed/objected to arrest, rather they have also torn the uniform of the police official.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Ahiyapur P.S. Case No. 662 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in

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similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds. The petitioners would report to Ahiyapur police station in 1st week of every month for six month. In case of failure, the bail granted to the petitioners will be treated to have been cancelled.

(Shivaji Pandey, J)

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