

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72248 of 2018

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

Raushan Kumar @ Raushan Paswan @ Raushan @ Roushan Paswan, Son of
Ramvilas Paswan, Resident of Village- Latifullahpur, P.S- Bahera, District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Manish Kumar No 13, Advocate
Mr. Rohit Kumar, Advocate.

For the Opposite Party : Mr. Anish Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 11-01-2019 A supplementary affidavit has been filed during
the course of argument.

Let it be taken on record.

Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Bahadurpur P.S. Case No. 146
of 2018 dated 10.04.2018 instituted for the offences
under Sections 353, 387, 401, 414 and 34 of the Indian
Penal Code.

The informant, who is a police officer while
patrolling and investigating a case with respect to one
Sarvesh Paswan, found that some of the persons in front
of the house of Sarvesh Paswan had managed to run



away seeing the police party. One Ranjit Paswan was arrested who disclosed the name of the petitioner as one amongst the persons who had managed to run away. The motorcycle belonging to the petitioner was found in front of the house of the aforesaid Sarvesh Paswan.

Learned counsel appearing for the petitioner has submitted that from the averments made in the FIR itself, it would appear that an attempt was made by the informant to arrest Sarvesh Paswan. In the case in which Sarvesh Paswan was wanted, the petitioner is not an accused. Otherwise also, it has been submitted on behalf of the petitioner that he is not associated with aforesaid Sarvesh Paswan.

With respect to the recovery of the motorcycle from in front of the house of Sarvesh Paswan, learned counsel for the petitioner has submitted that while he was crossing from that area, there was a ruckus created because of some persons running away seeing the police party. In order to save himself, he too ran away leaving behind his motorcycle. The two other cases which have been lodged by the petitioner earlier are of the year 2013 and in both the cases the petitioner is on bail.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below



within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 146 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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