

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33644 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- VAISHALI District- Vaishali

- =====
1. Vikram Paswan Son of Asharfi Paswan Resident of Village- Subhai, P.S.-
Vaishali, District- Vaishali
 2. Ram Pravesh Paswan Son of Asharfi Paswan Resident of Village-Subhai,
P.S. Vaishali, District-Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Adv.
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-03-2021 Heard Ms. Bela Singh, learned counsel for the

petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Vaishali P.S. Case No. 107 of 2020

instituted for the offence under Sections 147, 148, 149,

341, 342, 323, 353, 324, 307, 332, 333, 364, 386, 387,

504, 506 and 120(B) of the Indian Penal Code, Section

25(a-b)a, 26 and 35 of the Arms Act and Section 30 (a) of

the Bihar Prohibition and Excise Act, 2016.

On secret information that liquor is being traded

illegally by one Guddu Paswan, a raid was conducted at his



house. Two persons were arrested, namely, aforesaid Guddu Paswan and one Vikash Kumar. The villagers of aforesaid Guddu Paswan caused injury to one of the constables and one constable was detained by the villagers. The petitioners are said to have been identified by the local Dafadar as having detained one of the constables who had come with the police party for raiding the premises of Guddu Paswan.

Learned counsel for the petitioners has submitted that most of the accused persons of this case who have been named by the Dafadar have been released on anticipatory bail by different Benches of this Court. It has further been submitted that without any accusation against the petitioners, they have been made accused in this case merely on the pointing of the local Dafadar who has definite animus against the petitioners. Apart from this, it has been submitted that neither have the petitioners been attributed with the act of assaulting the members of police party nor is there any specific statement regarding their participation in the occurrence.

The petitioners do not have criminal antecedents.



Considering the afore-stated facts, the petitioners, above named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum-Excise Court, Vaishali, in connection with Vaishali P.S. Case No. 107 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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