

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39683 of 2020

Arising Out of PS. Case No.-72 Year-2020 Thana- BARIYARPUR District- Munger

1. SHASHI PASWAN, Son of Birwal Paswan Resident of Village - Bangali Tola, P.S.- Bariyarpur, District - Munger.
2. Nitish Paswan, Son of Birwal Paswan Resident of Village - Bangali Tola, P.S.- Bariyarpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sevak Choudhary

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-06-2021 Heard Mr. Ram Sevak Choudhary, learned counsel for the petitioners and Md. Aslam Ansari, learned APP for the State.

Mr. Choudhary, learned counsel for the petitioners seeks permission to withdraw this petition with respect to petitioner no. 2, who has surrendered before the court below.

The application with respect to petitioner no. 2 is dismissed as withdrawn.

The petitioner no. 1 seeks bail in anticipation of his arrest in connection with Bariyarpur P. S. Case No.



72 of 2020, dated 11.08.2020, instituted for the offences under Sections 147, 149, 133, 323, 332, 333, 155, 353, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation against the petitioner no. 1 is general and omnibus and he has only been shown as member of the mob. It has further been submitted that from the perusal of the F.I.R., it would appear that there was a clash between two communities and the petitioner no. 1 belongs to one of the communities. The act of firing and attacking the police is specifically attributed to other accused persons and not the petitioner no. 1.

The injured persons in the occurrence are stated to have received simple injuries.

The petitioner no. 1 does not have criminal antecedents.

Considering the afore-stated facts, the petitioner no. 1, 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 eight 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 A.C.J.M. 2nd, Munger, in connection with Bariyarpur P. S. Case No. 72 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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