

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40541 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- PATEPUR District- Vaishali

SANTOSH PASWAN S/O. SURENDRA PASWAN @ GANGA PASWAN
Resident Of - Aasma ,P. S. -Patepur, District - Vaishali .

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners : Mr. Anuj Kumar, Advocate.
For the State : Mr. Shailendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 24/26.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection with Patepur P.S. Case No.56 of 2020 registered under Sections 147, 148, 149, 341, 323, 307, 427, 153, 188, 333, 332, 353 and 504 of the Indian Penal Code.

The accusation is that when the informant along with other police personnel proceeded boarding on the Bolero



Government vehicle for investigation of Patepur P.S. Case No.17 of 2020, and reached at the door of Baijnath Paswan in village-Aasma, at that time, while Baijnath Paswan was at his roof but his door was closed from inside. Thereafter, Baijnath Paswan was called but he did not come, whereas his wife Rita Devi and daughter Sunita Devi came at the door but they did not open the door and started to make query. Thereafter, the informant told them that in the case, if the bail has not been granted, then call to Baijnath Paswan and he will get bail as the case is under bailable sections but they started to abuse. Thereafter, Baijnath Paswan started abusing and pelting bricks and stones from the roof. On hearing “hullah”, Suraj Paswan, Akli Devi, Rambriksh Paswan, Virchandra Paswan, Rajan Paswan, Sajan Paswan, Mantosh Paswan, Santosh Paswan (petitioner), Sandeep Paswan, Jaikishun Paswan, Mahesh Paswan, Chumman Paswan, Akhilesh Paswan, Raja Paswan, Rajesh Paswan, Gulshan Paswan, Bhushan Paswan, Anita Devi and 10-20 unknown having lathi, danda, bricks, stones and axe in their hands started to abuse and surrounded the police party and started scuffling and pelting bricks and stones. At that time, Suraj Paswan, damaged the glass of the Government vehicle and others tried to snatch the firearm of the police force.



Learned counsel for the petitioner submits that while the petitioner is named in the F.I.R. but no specific overt act is attributed to him. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Patepur P.S. Case No.56 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

