

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1757 of 2021

Arising Out of PS. Case No.-411 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. LALDEO PASWAN, S/O DEEPLAL PASWAN RESIDENT OF VILLAGE-PATAHI ROOP, P.S.-MUZAFFARPUR SADAR, DISTRICT-MUZAFFARPUR.
 2. MUKESH PASWAN S/O PARMESHWAR PASWAN RESIDENT OF VILLAGE-PATAHI ROOP, P.S.-MUZAFFARPUR SADAR, DISTRICT-MUZAFFARPUR.
 3. RAMESH PASWAN S/O MANAK PASWAN RESIDENT OF VILLAGE-PATAHI ROOP, P.S.-MUZAFFARPUR SADAR, DISTRICT-MUZAFFARPUR.
 4. BINOD RAM S/O RAMSEVAK RAM RESIDENT OF VILLAGE-PATAHI ROOP, P.S.-MUZAFFARPUR SADAR, DISTRICT-MUZAFFARPUR.
 5. MITHU KUMAR S/O LATE CHUNNA PASWAN RESIDENT OF VILLAGE-PATAHI ROOP, P.S.-MUZAFFARPUR SADAR, DISTRICT-MUZAFFARPUR.
 6. SURAJ KUMAR S/O ASHARFI PASWAN RESIDENT OF VILLAGE-PATAHI ROOP, P.S.-MUZAFFARPUR SADAR, DISTRICT-MUZAFFARPUR.
 7. BHOLA PASWAN S/O DEVENDRA PASWAN RESIDENT OF VILLAGE-PATAHI ROOP, P.S.-MUZAFFARPUR SADAR, DISTRICT-MUZAFFARPUR.
 8. BADHU PASWAN @ SIKANDAR PASWAN S/O LATE RAMAWATAR PASWAN RESIDENT OF VILLAGE-PATAHI ROOP, P.S.-MUZAFFARPUR SADAR, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-07-2021 Heard Mr. Vijay Kumar Singh, learned counsel

for the petitioners and learned APP for the State.



The petitioners seek bail in anticipation of their arrest in connection with Muzaffarpur Sadar P. S. Case No. 411 of 2020, dated 27.07.2020, instituted for the offences under Sections 147, 148, 149, 341, 323, 332 and 353 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

On secret information to the police party that liquor has been stored at a particular place, a raid was conducted. Several persons are alleged to have fled away from the place of raid. However, two of them were arrested, namely, Raja Kumar and Suraj Kumar. The aforesaid two arrested persons confessed the names of some of the accused persons (not the petitioners) who could manage to run away. Thereafter, it has been alleged that the relatives of the arrested accused persons came in large number and prevented the police party from effecting search and seizure. In the process, the police party had to face the ire of the restive mob.

The petitioners have been shown as persons



who had obstructed the police party from performing their work.

The learned counsel for the petitioners has submitted that they have been named in this case only because of some incorrect information provided to the police party. The petitioners are not even connected with either the accused persons who have been arrested in this case or the seized liquor. Merely because they happen to be persons of the same village as that of the other accused persons, they have been made accused in this case. The police party also has acted in a reactionary manner in framing these innocent persons.

For the reasons afore-stated and taking into account the clean antecedents of the petitioners, they, in the event of their arrest or surrender before the court below within a period of six weeks, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned Special Judge, Excise Act, Muzaffarpur, in
connection with Muzaffarpur Sadar P. S. Case No. 411
of 2020, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

This petition stands allowed.

(Ashutosh Kumar, J)

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