

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2591 of 2022

Arising Out of PS. Case No.-423 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

SHIV NARAYAN PASWAN S/o Late Uchit Paswan R/o- Village- Lohagir,
Ward No.12, P.S.- Uziarpur, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 188A, 147, 148, 149, 341,323, 325, 332, 333, 307, 353, 427, 504 of the Indian Penal Code and Section 37(C) of Bihar Prohibition and Excise(Amendment) Act, 2016.

According to prosecution case, on 10.10.2021 the informant was deputed at counting centre with other officials and on the same day on the order of senior officials counting



was stopped for the next day. Thereafter, Indu Kumari candidate of Mukhiya alongwith her relatives gathered over there and started shouting against the administration. On the next day her relatives alongwith 200 supporters entered the counting centre and started pelting bricks and stone on the police officials and during the course of such incidents three persons were seriously injured.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that 200 persons have been made accused in the present case. He further submits that it appears from the injury reports that the injuries sustained by the officials are simple in nature. The petitioner is in custody since 12.10.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Samastipur



Muffasil P.S. Case No. 423 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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