

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10178 of 2022

Arising Out of PS. Case No.-423 Year-2020 Thana- NAGAR District- Vaishali

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Raj Kumar Paswan S/o Late Paltu Paswan @ Paltan Paswan R/o Village-
Bagmali Khata Jangi, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State through video conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 45 of the Bihar Prohibition
and Excise Act.

Allegedly this petitioner and co-accused persons
instigated a mob of 200 persons to create obstacle in the official
duty of the police personnels who arrived at the place of
occurrence to arrest co-accused and to raid the house of co-
accused Ashok Paswan.

The main submissions advanced by learned counsel
for the petitioner are that the main accused Ashok Paswan who
is alleged to be involved in the illicit activity of illegal wine and
as per prosecution the police party went to the place of



occurrence to raid the house of said co-accused, has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. 36799 of 2021 and present petitioner is simply alleged to have instigated a mob consisting of more than 200 persons to create obstacle in the official duty of the police personnel and except this there is no any allegation against him and the said allegation is general and omnibus and petitioner's any specific role in the commission of alleged offences has not been revealed in the FIR and there is criminal antecedent of one case against the petitioner in which he is on bail and in respect of the petitioner the investigation has been completed and he has been languishing in jail since 18.1.2022.

Learned APP has opposed the prayer for bail.

In view of the above submissions and considering the nature of allegation appearing against the petitioner in my view a lenient approach can be taken in respect of the petitioner's prayer let the petitioner 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 concerned Court in connection with Hajipur Town P.S. case No. 423 of 2020.

(Shailendra Singh, J)

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