

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14058 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

1. Chhotu Paswan Son Of Niro @ Nirmal Paswan Resident Of Village- Chandpur, P.S.- Jagdishpur, District-Bhagalpur
2. Mangal Paswan @ Muneshwar Paswan Son Of Billo Paswan Resident Of Village- Chandpur, P.S.- Jagdishpur, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-07-2022 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.

Petitioner seeks regular bail in connection with Jagdishpur P.S. Case No. 343 of 2021 (Gr. No. - 4318 of 2021) registered for the offences under Sections 147/149/341/342/353/332/333/307 and 504 of the Indian Penal Code.

The substance of the main allegation is that around 40-50 persons assembled at place of occurrence due to accidental death of one person thereafter all of them started



protesting and pelting stones and created obstacles in the official duty of the police personnel and on account of the alleged act of the petitioner and co-accused persons the informant and some other police personnel sustained injury.

The main submissions advanced by learned counsel for the petitioner are that the petitioner has got no criminal antecedent against him there is no specific allegation and he is simply stated to be a member of the crowd and as per allegation of the FIR the said crowd consisting of more than 40 persons assembled at the alleged place to raise their protest against an accidental death of one person and one co-accused person namely Shiva Harizan @ Shivpujan Das has been granted bail by a co-ordinate bench of this Court vide order passed in Criminal Miscellaneous No. 11536 of 2022.

Learned APP for the State has opposed the bail prayer.

Having regard to the facts and circumstances of this case and considering the above submissions and mainly the facts that any specific role of the petitioner in the alleged crime has not been mentioned in the FIR and he is simply stated to be a member of the alleged crowd and more than 40 persons are stated to have committed the alleged occurrence and one co-accused carrying similar nature of allegation has been



considered for regular bail by a coordinate bench of this Court vide order passed in above mentioned Criminal Miscellaneous and petitioner has got no criminal antecedent and he has been languishing in jail since 12.10.2021, in my view a lenient approach can be taken in respect of 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 Jagdishpur P.S. Case No. 343 of 2021 (Gr. No. - 4318 of 2021) .

(Shailendra Singh, J)

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