

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16192 of 2022

Arising Out of PS. Case No.-350 Year-2021 Thana- DIGHA District- Patna

GAURAV PASWAN Son of late Upendra Paswan Resident of Village - Shivjee Nagqar, Behind Church Gate , P.s.- Digha, Distt.- Patna. At present Gate 86, Digha , Makhdumpur, P.s.- Digha, Distt.- Patna, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr.H.A. Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 379, 354(a), 354(b), 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner is that after eating the panipuri he along with other co-accused refused to pay the amount and they assaulted the informant and her husband.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that there is no specific overt act against



the petitioner. He further submits that on the date of occurrence of the incident the informant husband was trying to outrage the modesty of his sister and when she resist and call the informant husband that she will call the police, the informant husband with the assistance of his wife lodged a false F.I.R. against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that he is a member of the mob.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Digha P.S. Case No. 350 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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