

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15367 of 2022**

Arising Out of PS. Case No.-81 Year-2021 Thana- PAUTHU District- Aurangabad

RAM PRAVESH RAM @ RAM PRAVESH PASWAN S/o- Late Jhagru  
Paswan R/o Village - Shekhpura, P.S. Goh, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 27503 of 2022**

Arising Out of PS. Case No.-81 Year-2021 Thana- PAUTHU District- Aurangabad

AJAY PASWAN S/o- Late Baleshwar Paswan R/o Village - Dhejna, P.S.-  
Goh, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 15367 of 2022)

For the Petitioner/s : Mr. Mukul Kumari

For the Opposite Party/s : Mr. Tarun Prasad Mandal

(In CRIMINAL MISCELLANEOUS No. 27503 of 2022)

For the Petitioner/s : Mr. Mukul Kumari

For the Opposite Party/s : Mr. Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      08-08-2022                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

The petitioners seek bail in connection with Pauthu  
  
P.S. Case No. 81 of 2021, G.R No. 2465 of 2021,  
  
registered for the offences punishable under Sections 384,  
  
386 and 387 of the Indian Penal Code and under Sections



18, 20 and 38 of Unlawful Activities (Prevention) Act, 1967.

As per allegation, the petitioners along with their associates demanded extortion money from the informant in the name of their organization.

The learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. She further submits that there is no specific allegation against the petitioners. The petitioners had not made any demand and they were not the members of the party in the name of which demand has been made. She further submits that the petitioners have been implicated in this case due to the previous enmity and village politics. She further submits that even as per the allegation, provisions of UAP Act does not get attracted and at most offence of extortion is made out, as defined in the Indian Penal Code. She also submits that no incriminating articles have been recovered from the conscious possession of the petitioners. She further submits that similarly situated co-accused person, namely, Ranjan Paswan has already been enlarged on bail vide order dated 04.07.2022, passed in Cr. Misc. No.



11667 of 2022.

She further submits that a supplementary affidavit has been filed on behalf of the petitioner in Cr. Misc. No. 15367 of 2022, wherein it has been mentioned that inadvertently in the main petition, the information regarding the criminal antecedent of the petitioner has wrongly been typed. The petitioner, namely, Ram Pravesh Ram @ Ram Pravesh Paswan has one criminal antecedent, vide Goh P.S. Case No. 18 of 2019.

The petitioners have been languishing in jail since 23.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph 3 of the Cr. Misc. No. 27503 of 2022 that the petitioner has no criminal antecedent.

However, the learned APP for the State opposes the prayer for bail.

Considering the aforesaid facts and circumstances,



the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-II, Aurangabad, in connection with Pauthu P.S. Case No. 81 of 2021, on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedent other



than the disclosed one, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

**(Jitendra Kumar, J)**

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