

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48479 of 2022**

Arising Out of PS. Case No.-47 Year-2022 Thana- DAUDNAGAR District- Aurangabad

1. BIRENDRA PASWAN SON OF LATE GOPAL PASWAN R/O VILLAGE-SHAMSHERNAGAR PIDI PAR, P.S.- DAUDNAGAR, DISTRICT-AURANGABAD, BIHAR
2. RABINDRA PASWAN @ RAVINDRA PASWAN SON OF LATE GOPAL PASWAN R/O VILLAGE- SHAMSHERNAGAR PIDI PAR, P.S.- DAUDNAGAR, DISTRICT-AURANGABAD, BIHAR
3. JITENDRA KUMAR SON OF LATE GOPAL PASWAN R/O VILLAGE-SHAMSHERNAGAR PIDI PAR, P.S.- DAUDNAGAR, DISTRICT-AURANGABAD, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. N.K. Agrawal, Sr. Advocate |
|                          |   | Ms. Preety Kunwar, Advocate.   |
| For the Opposite Party/s | : | Ms. Madhuri Lata, A.P.P.       |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      16-12-2022                      Heard Mr. N.K. Agrawal, learned senior counsel for the petitioners and Ms. Madhuri Lata, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Daudnagar P.S. Case No. 47 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 504 and 506 of the Indian Penal Code 1860. Subsequently, Section 302 of the Indian Penal Code was added.

As per the First Information Report, the Police party during course of investigation of Daudnagar P.S. Case No.37 of



2022, reached at the place of occurrence and attempted to arrest the accused Ravi Kumar. In the meanwhile, the people residing in the locality raised protest against the Police party, assaulted them and co-accused Punam Devi dropped a hard and blunt substance from the upper floor, due to which, one of the Police Officers received head injury and subsequently succumbed to the injury during course of treatment.

Learned senior counsel for the petitioners submits that the petitioners have falsely been made accused in this case along with 16 named accused persons and 50-55 unknown persons. He further submits that the allegation against the petitioners is that they instigated the people assembled over there to raise slogan and assault the Police Officials. The co-accused Punam Devi has allegedly dropped the iron object from the upper floor causing injury and death of the Police Officer. He next submits that similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court in Cr. Misc. 44228 of 2022, 18894 of 2022 and 47511 of 2022 respectively. The petitioners are in custody since 28.01.2022 having no criminal antecedents.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been



granted bail by this Court, petitioners are in custody since 28.01.2022 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Aurangabad, in connection with Daudnagar P.S. Case No. 47 of 2022.

**(Anil Kumar Sinha, J)**

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