

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58834 of 2022

Arising Out of PS. Case No.-188 Year-2022 Thana- SONBERSA District- Sitamarhi

Rameshwar Paswan Son of Bhajan Paswan Resident of Village- Dostiya, P.S.-
Sonbarsa, Districts- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sonbarsa
P.S. Case No. 188 of 2022 registered for the offence under
Sections 147, 148, 149, 340, 323, 332, 333, 353, 307, 504, 506
of the I.P.C. and Sections 37(ii), 45 of the Prohibition and
Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.06.2022.

The allegation against the petitioner is to rescue three
persons alleged to be consumed liquor from police custody
along with 33 named and 50-52 unnamed co-villagers, with



further allegation to snatch rifle from police personnels.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in present case. It is further submitted that petitioner who is a man of clean antecedent named in this case only for the reason as he tried his best to persuade police personnels to not take action against innocent persons/villagers. It is also pointed out that allegation of snatching rifle is only for the purpose of aggravating the allegations which is otherwise not appearing true on its face as to commit by old person as petitioner aged about 65 years suffering from many diseases like TB, Diabetes etc. and moreover the rifle alleged to be snatched taken back immediately on the spot itself from this petitioner. While concluding the argument, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, and by taking note of the allegation, where petitioner is in custody since 22.06.2022, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is



directed to be released on bail in connection with Sonbarsa P.S.
Case No. 188 of 2022 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned Exclusive Special Excise
Court-1, Sitamarhi/concerned Court, subject to the following
conditions:

“(i) That accused/petitioner shall
cooperate in the trial and shall be physically
present on each and every date before the
learned Trial Court till conclusion of the trial
and exemption from physical appearance be
allowed by the learned Trial Court, only on
medical ground of the petitioner, duly
supported by the documents.

(ii) That one of the bailors shall
be Pramod Paswan, who is the son of the
petitioner and deponent of the present bail
petition.”

(Chandra Shekhar Jha, J)

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