

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55451 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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SHASHI KUMAR PASWAN @ SHASHI KANT PA S/O SHIVJI PASWAN
RESIDENT OF MOHALLA- MILKY TOLA SADPURA POKHARIYAPIR
CHAMAR TOLI, P.S.- KAZI MOHAMMADPUR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-10-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

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

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 341, 323,
307, 337, 338 and 353 of the Indian Penal Code and Sections 36 and
45 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

The informant alleges that on information that Shambhu
Paswan and Rajesh Kumar Paswan @ Bantha Paswan are indulging
in business of toddy when he and his team reached the place of
occurrence, 100 miscreants including the petitioner started attacking



the police on incitement of Shambhu Paswan and Rajesh Kumar Paswan @ Bantha Paswan in which the police officials were injured.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that allegation as alleged in the FIR with respect to the petitioner is general and omnibus in nature. Specific allegation is against Shambhu Paswan and Rejesh Kumar Paswan @ Bantha Paswan. It is next submitted that the allegation of assaulting the police is ornamental in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One 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 Kazi Mohammadpur P.S. Case No. 76 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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