

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2328 of 2023

Arising Out of PS. Case No.-177 Year-2022 Thana- MANIGACHI District- Darbhanga

1. Gauraka Kumar Paswan @ Gorkha Paswan @ Gorka Paswan Son of Chhathu Paswan, Male, Aged about 28 years, R/o Nehra Kothi Tol, P.S- Manigachhi, Dist- Darbhanga
2. Anjula Devi, Female, Aged about 21 years, Wife of Gauraka Kumar Paswan @ Gorkha Paswan @ Gorka Paswan R/o Nehra Kothi Tol, P.S- Manigachhi, Dist- Darbhanga
3. Mala Devi, Female, Aged about 56 years, Wife of Vijay Paswan R/o Nehra Kothi Tol, P.S- Manigachhi, Dist- Darbhanga
4. Siya Devi, Female, Aged about 42 years, Wife of Arun Paswan R/o Nehra Kothi Tol, P.S- Manigachhi, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4563 of 2023

Arising Out of PS. Case No.-177 Year-2022 Thana- MANIGACHI District- Darbhanga

1. Lalan Kumar Paswan (Male), aged about 27 years, Son of Gangaram Paswan Resident of village - Rajvara, Nehra, Police Station - Manigachhi, District - Darbhanga.
2. Babloo Paswan (Male) aged about 37 years, Son of Chunchun Paswan Resident of village - Rajvara, Nehra, Police Station - Manigachhi, District - Darbhanga.
3. Laxmi Paswan (Male), aged about 62 years, Son of Late Mahabir Paswan Resident of village - Rajvara, Nehra, Police Station - Manigachhi, District - Darbhanga.
4. Satto Paswan (Male), aged about 37 years, Son of Ram Sukhit Paswan @ Ram Surat Pasawan Resident of village - Rajvara, Nehra, Police Station - Manigachhi, District - Darbhanga.
5. Jay Prakash Paswan (Male) aged about 41 years, Son of Late Ramchandra Paswan Resident of village - Rajvara, Nehra, Police Station - Manigachhi, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s



Appearance :

(In CRIMINAL MISCELLANEOUS No. 2328 of 2023)

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

For the State : Mr. Nand Kishore Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 4563 of 2023)

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the State : Mr. Arbind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Manigachhi (Nehra O.P.) P.S. Case No. 177 of 2022 registered for the offences punishable under Sections 147, 148, 149, 332, 333, 353, 188, 302, 307, 504, 283 and 120(B) of the Indian Penal Code.

As per the prosecution, during the process of removal of encroachment, the mob comprising 41 named in FIR alongwith 100 to 150 unknown persons started pelting bricks/stones on police personnel causing injury to 10-15 persons and death of a Driver Homeguard during treatment.

The allegation against the petitioners are that they were members of the mob which committed the alleged offence.

Learned counsel for the petitioners submits that there is no specific allegation against the petitioners named in the FIR and the petitioners are languishing in jail since 30.08.2022. Learned counsel further submits that the petitioners have no



criminal antecedent and the co-ordinate Bench of this Court in Cr. Misc. No. 4166 of 2023 has granted regular bail of the other co-accused who are similarly situated.

Learned APP for the State has opposed the prayer for regular bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Manigachhi (Nehra O.P.) P.S. Case No. 177 of 2022.

(Sunil Dutta Mishra, J)

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