

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22628 of 2023

Arising Out of PS. Case No.-86 Year-2022 Thana- BAHERA District- Darbhanga

Raushan Kumar Paswan @ Raushan Kumar @ Raushan Paswan, aged about 32 years, (M), Son Of Ram Bilas Paswan, Resident of village - Bahera, P.S- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kanchan Jha, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mrs. Kanchan Jha, learned counsel appearing on behalf of the petitioner and Mr. Satya Nand Shukla, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bahera P.S. Case No. 86 of 2022 dated 05.03.2022 registered for the offence punishable under Sections 338, 341, 323, 379, 353 and 504 of the Indian Penal Code.

3. Prosecution story, in brief, is that while the informant namely, Akash Kumar, S.H.O., Bahera, who was performing government duty, the petitioner had forcibly snatched mobile phone of his staff and had also assaulted him.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is having electricity connection and is regularly making payment of electricity bill to



the North Bihar Power Holding Company. Petitioner is not involved in the theft of the electricity. The allegation made against the petitioner in the FIR is not sustainable.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submission made by the parties as well as the fact that the allegation made against the petitioner is that he caused hindrance in performing government duty whereas the petitioner has stated that petitioner is consumer of electricity. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Benipur, Darbhanga in connection with Bahera P.S. Case No. 86 of 2022 dated 05.03.2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/Nilmani

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