

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24559 of 2023**

Arising Out of PS. Case No.-636 Year-2022 Thana- WARISLIGANJ District- Nawada

Munni Lal Paswan Son Of Ramdeo Paswan R/O Village- Parshurampur, P.S.-  
Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Parth Gaurav, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      16-08-2023                      Learned counsel for the petitioner prays for and is  
allowed to delete the paras-11 to 13 of the petition.

Heard the parties.

The petitioner is in judicial custody in connection  
with Warsaliganj P.S. Case No. 636 of 2022 for the offence  
punishable under Section 384 of the I.P.C. lodged on 25.10.2022  
by the informant, Pratima Devi.

As per the prosecution story, the allegation against  
the petitioner is that the informant's son and his friend were  
taken by the petitioner who is a Police Officer to the police  
station with their motorcycle and car and demanded Rs.  
50,000/- for the release of the vehicles failing which to suffer  
consequences. Further allegation is that after payment of Rs.  
30,000/- the motorcycle was released but only after payment of



Rs. 20,000/- the car was also released. Accordingly, the FIR.

The case of the petitioner is that the FIR has been lodged after inordinate delay inasmuch as the occurrence is of 28.9.2022 while the FIR was lodged on 25.10.2022.

In the aforesaid background, a coordinate bench of this Court had called for the case diary which has since been received and the learned APP has taken this Court to different paragraphs specially para-39 which records the conversation between the informant and the Police Officer.

As per the investigation that has went on, the case has been found to be true.

Learned counsel for the petitioner to this submits that the FIR lodged, ultimately he will be facing the trial, has remained in custody since 08.12.2022 (para-14 of the petition), he is ready to abide by all the terms and conditions, if granted bail.

Though, the prosecution story is fully against the petitioner, investigation has also supported the prosecution story, in view of the fact that the charge-sheet submitted and he has remained in custody for almost eight months, this Court is ready to extend him the benefit of bail with conditions.

Let the petitioner be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-IV, Nawada, in connection with Warsaliganj P.S. Case No. 636 of 2022 subject to the following conditions:

(i) the petitioner under no circumstance will either try to meet the informant as also her two children and/or the other witnesses named by the police failing which the State will free to take recourse to cancel of his bail bond;

(ii) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/-

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