

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30037 of 2023

Arising Out of PS. Case No.-304 Year-2022 Thana- EKANGARSARAI District- Nalanda

Balmishri Paswan Son of Late Kailash Paswan Resident of village- Oriyawan,
P.S.-Ekangar Sarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devika Rani

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Ekangar Sarai PS Case No. 304 of 2022 dated 16-12-2022, registered for the offence punishable under Sections 341,307,504, 506,147 and 148 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is alleged that the petitioner along with five other accused persons have come to the house of the informant and abused her and on protest, co-accused, viz., Pappu Paswan and Kishore Paswan have fired upon the informant. The informant, however, has not sustained any bullet injury in the process.

4. Learned counsel for the petitioner submits that specific allegation is against co- accused, viz., Pappu Paswan



and Kishore Paswan. Against the petitioner along with others, there is a general and omnibus allegation of abusing and being member of the mob. The petitioner has one criminal antecedent and, in which case, he is stated to be on bail. There is no overt act alleged against the petitioner.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, nature of allegation and specific assault being attributed against the other co-accused, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM Hilsa, Nalanda, in connection with Ekangar Sarai PS Case No. 304 of 2022 dated 16-12-2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors will be a close relative of



the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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