

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33352 of 2023

Arising Out of PS. Case No.-430 Year-2022 Thana- BAHADURPUR District- Darbhanga

1. Gautam Paswan @ Gautam Kumar Paswan, Son of Kameshwar Paswan Resident of village - Mirzapur Kauwahi, P.S. - Bahadurpur, Distt. - Darbhanga
2. Ranjit Paswan @ Bhima Paswan Son of Late Baidyanath Paswan Resident of village - Mirzapur Kauwahi, P.S. - Bahadurpur, Distt. - Darbhanga
3. Praveen Paswan @ Guddu @ Praveen Kumar Son of Rambahadur Paswan Resident of village - Mirzapur Kauwahi, P.S. - Bahadurpur, Distt. - Darbhanga
4. Neeraj Kumar Son of Dallu Mahto Resident of village - Mirzapur Kauwahi, P.S. - Bahadurpur, Distt. - Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Rajesh Ranjan, Advocate Mr. Shaki Suman Kumar, Advocate Mr. Atul Shankar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, APP
For the Informant	:	Ms. Nitu Kumari, Advocate Mr. Rohit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Bahadurpur P.S. Case No. 430 of 2022 registered for the offences under Sections 143, 341, 448, 380, 504, 506, 354 of the Indian Penal Code. Petitioner No. 1 has got two criminal antecedents, petitioner no. 2 has got seven criminal antecedents, petitioner no. 3 has got one criminal antecedent and whereas petitioner no. 4 has no criminal



antecedent.

3. As per the prosecution story, on 28.08.2022 at about 05:45 P.M. when the informant was at her residential office, the FIR named accused persons along with 50-60 unknown persons armed with weapon entered and started abusing her. They demanded key of the office and house and upon receiving the same, the accused persons looted three 'bhar' gold ornaments worth Rs.3,00,000/- and cash Rs.50,000/- and other jewelry. The accused persons, namely Shyam Bharti and Ghanshyam Paswan also assaulted the father of the informant on his head and chest and further on hand and eyes. The accused person namely Praveen Paswan also snatched the mobile phone of the informant and assaulted her.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. It is submitted that they are only the members of the mob.

5. Learned counsel for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the materials present on the record, the allegations that these petitioners were the members of the mob but so far as petitioner nos. 1 and 2 are concerned they are having two or more criminal antecedents, this Court is not inclined to grant privilege of anticipatory bail to the petitioner



nos. 1 and 2.

7. Their prayer is refused.

8. So far as petitioner nos. 3 and 4 are concerned, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioner nos. 3 and 4 shall be released on bail in connection with Bahadurpur P.S. Case No. 430 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. And further condition that the court below shall verify the criminal antecedent of the petitioner nos. 3 and 4 and in case at any stage it is found that the petitioner nos. 3 and 4 have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner nos. 3 and 4. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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