

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55119 of 2023

Arising Out of PS. Case No.-301 Year-2023 Thana- BIHAR District- Nalanda

Deepak Paswan S/O- Dayananad Paswan, village- Sakunat Kala PS-
Biharsharif, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shravan Kumar, Sr. Advocate Mr. Krishna Kumar Singh, Advocate
For the Opposite Party/s	:	Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-09-2023 Heard Mr. Shravan Kumar, learned senior counsel,

duly assisted by Mr. Krishna Kumar Singh, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Bihar P.S. Case No. 301 of 2023 registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
324, 325, 337, 338, 332, 333, 353, 504, 506, 153A, 295A, 307,
435, 436, 427, 109, 120B of the Indian Penal Code and Section
27 of the Arms Act.

3. Allegedly during the procession of Ram Navami 82
named and 200 unknown accused persons, including the
petitioner, were found involve in spreading religious excitement



between two religious sections, causing disturbances and communal harmony by raising provocative slogans, pelting stones and bricks. The accused persons also resorted to firing during the procession.

4. Learned senior counsel appearing on behalf of the petitioner submits that from the narration of the F.I.R. it is evident that the F.I.R. has been instituted against 82 named and 200 unknown persons and the petitioner has been identified on the basis of CCTV footage, but it has not been disclosed as to what role has been played by the petitioner. He next submits that the allegation, if any, has taken to be true, the petitioner can be said to be only a member of the procession and, moreover, the petitioner is a man of fair antecedent. He lastly submits that the person, having identical allegation, has been allowed the privilege of anticipatory bail by the learned coordinate Bench of this Court in Cr. Misc. No. 51852 of 2023 vide order dated 30.08.2023.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the fair antecedent, let the petitioner,



named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 301 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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