

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67868 of 2022

Arising Out of PS. Case No.-145 Year-2022 Thana- PIPRAKOTHI District- East Champaran

1. Lalan Paswan @ Lalan Hajara Son Of Sadhu Hajara @ Samu Paswan R/O Village- Chand Saraiya, P.S.- Pipra Kothi, District- East Champaran
2. Tuna Paswan @ Dhananjay Kumar @ Bir Paswan Son Of Badari Paswan R/O Village- Chand Saraiya, P.S.- Pipra Kothi, District- East Champaran
3. Munna Paswas @ Ajay Kumar Son Of Badari Paswan R/O Village- Chand Saraiya, P.S.- Pipra Kothi, District- East Champaran
4. Junna Paswan @ Vijay Kumar Son Of Badari Paswan R/O Village- Chand Saraiya, P.S.- Pipra Kothi, District- East Champaran
5. Raja Paswan Son Of Lalan Paswan @ Lalan Hajara R/O Village- Chand Saraiya, P.S.- Pipra Kothi, District- East Champaran
6. Narej Paswan @ Naresh Paswan Son Of Late Dasai Paswan @ Dasai Hajara R/O Village- Chand Saraiya, P.S.- Pipra Kothi, District- East Champaran
7. Mukesh Paswan @ Mukesh Kumar Son Of Narej Paswan @ Naresh Paswan R/O Village- Chand Saraiya, P.S.- Pipra Kothi, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-03-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition with respect to Lalan Paswan @ Lalan Hajara, as during pendency of this case, Lalan Paswan @ Lalan Hajara petitioner no. 1 has already been arrested.

Prayer is allowed. The anticipatory bail petition with respect to Lalan Paswan @ Lalan Hajara petitioner no. 1 is dismissed as withdrawn having become infructuous.



Heard learned counsel for the petitioners and learned counsel for the State.

The petitioner nos. 2, 3, 4, 5, 6 and 7 apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 332, 333, 353, 504 of the Indian Penal Code.

As per the prosecution case, on 16.05.022 at 6.30 pm during course of patrolling the informant (police official) got information that an accident took place in which some persons got injured. On receiving such information, informant along with others arrived at the place of occurrence and they saw that road was blocked. The villagers disclosed that one vehicle driver dashed Bhulawan Paswan, as a result of which he died on the spot and 3-4 persons got injured. It is further alleged all the accused persons named in the FIR including petitioner and 40-50 unknown persons blocked the road and the dead body was lying on the road. The informant tried to pacify the matter, but the accused persons became angry and were raising slogans against the administration and demanding compensation. Thereafter local police was called and the road was cleared.

It is submitted that there is general and omnibus allegation against all the accused persons and no specific overt



act has been alleged against petitioners. It is further submitted that all sections are bailable except sections 332, 333 and 353 of the IPC which are super addition to make the case grave.

Considering the facts aforesaid and general and omnibus allegation, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pipra Kothi P.S. Case No. 145 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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