

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78870 of 2023

Arising Out of PS. Case No.-107 Year-2022 Thana- KALYANPUR District- Samastipur

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PRADEEP PASWAN SON OF MAHENDRA PASWAN R/O VILLAGE-
KHARSHAN, P.S.- KALYANPUR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Adv.

For the Opposite Party/s : Mr.Abhay Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 337, 338, 332, 333, 353, 379, 504 of the Indian Penal Code and Section 30(a), 41(2)(1), 47 of the Bihar Prohibition and Excise Act, 2016.

3. On the basis of secret informant, the informant along with other police personnel reached at the place of occurrence and recovered 5 litres of country made liquor from the hut like house of one Govind Paswan, which was kept in plastic gallon of 5 litres. In the meantime, Lucky Devi, wife of Govind Paswan along with 100 to 150 people, attacked and assaulted the police personnel and forcefully snatched the seized liquor



and their rifles.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. At best, he can be said a member of the mob. Similarly situated co-accused have been enlarged on bail by the learned Court below. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending/successor Court in connection
with Kalyanpur P.S. Case No. 107 of 2022, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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