

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.855 of 2023

Arising Out of PS. Case No.-242 Year-2022 Thana- KEWATI District- Darbhanga

Rajendra Paswan Son Of Late Mandal Paswan @ Late Mangal Paswan R/O
Vill.- Paigambarpur, P.S.- Keoti, Distt.- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Manisha Prakash, Advocate
For the Opposite Party : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections-147, 353, 504, 506 of the Indian Penal Code and Section-37/45 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

The prosecution case, in short, is that an scuffle had taken place between the police and local people.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by local chowkidar. It is alleged that an scuffle had taken place between the local people and the police. The petitioner is alleged to be member of the mob. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in



this case. There is no recovery of liquor in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. Learned counsel for the petitioner has placed reliance upon the order dated 13-04-2022 passed by the Hon'ble Supreme Court in Cr. Appeal No. 626 of 2022 (Sweta Kumari versus State of Bihar.)

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Darbhanga in connection with Keoti P.S. Case No. 242 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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