

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16147 of 2024

Arising Out of PS. Case No.-6 Year-2023 Thana- BISHUNPUR District- Darbhanga

1. Rabindra Paswan S/o Madan Paswan R/o vill - Barki Dilahi, P.S. - Bishanpur, Distt. - Darbhanga
2. Bechu Sahni S/o Late Dhodhai Sahni R/o vill - Barki Dilahi, P.S. - Bishanpur, Distt. - Darbhanga
3. Ranjeet Sahni S/o Late Kapurchand Sahni R/o vill - Barki Dilahi, P.S. - Bishanpur, Distt. - Darbhanga
4. Bindeshwar Paswan @ Bideshwar Paswan S/o Late Muneshwar Paswan R/o vill - Barki Dilahi, P.S. - Bishanpur, Distt. - Darbhanga
5. Biru Paswan @ Viru Paswan S/o Late Muneshwar Paswan R/o vill - Barki Dilahi, P.S. - Bishanpur, Distt. - Darbhanga
6. Vikash Paswan S/o Late Brijkishore Paswan R/o vill - Barki Dilahi, P.S. - Bishanpur, Distt. - Darbhanga
7. Sonu Kumar Paswan @ Sonu Paswan S/o Sharwan Paswan R/o vill - Barki Dilahi, P.S. - Bishanpur, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-03-2024

Heard the parties.

2. The petitioners are apprehending their arrest in connection with Bishanpur P.S. Case No. 6 of 2023 for the offence under sections 323, 324, 325, 336, 307, 333, 353, 427 and 34 of the I.P.C. lodged on 23.01.2023 by the informant, Sanjeet Kumar Paswan.

3. As per the prosecution story, the informant alleged



that on secret information, one Asha Devi was caught with 30 liters country made liquor from her house and as she was taken by to the police station, the accuseds surrounded and assaulted the police personnel causing injury to them. Later, on the basis of information, the name of the accuseds came up. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that there is nothing on record to show what was the secret information on which he roped in the petitioners herein and they have been implicated only on the basis of criminal antecedent under excise act.

5. Further, the submission is that without accepting the allegation, the petitioners intend to deposit Rs. 2,000/- each with the Chief Minister's Relief Fund and receipt to be submitted before the concerned Court at the time of execution of bail bonds.

6. Learned APP opposes the prayer pointing to the allegations made.

7. Taking into account the aforesaid facts as also that the omnibus allegations are against all the accused persons, the source has not been disclosed in the FIR, this Court is inclined to extend them the privilege of anticipatory bail subject to



payment of Rs. 2,000/- each as undertaken by the learned counsel for the petitioners.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Darbhanga, in connection with Bishanpur P.S. Case No. 6 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioners shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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