

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21421 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- PIPRAKOTHI District- East Champaran

1. PUJESH PASWAN SON OF BAJAR PASWAN @ BHAGAR PASWAN
RESIDENT OF VILLAGE - JHAKHRA, POLICE STATION - PIPRA
KOTHI, DISTRICT - EAST CHAMPARAN
2. RAMU PASWAN SON OF DURGA PASWAN RESIDENT OF VILLAGE -
JHAKHRA, POLICE STATION - PIPRA KOTHI, DISTRICT - EAST
CHAMPARAN
3. RAJAN PASWAN SON OF PUNYADEO PASWAN RESIDENT OF
VILLAGE - JHAKHRA, POLICE STATION - PIPRA KOTHI, DISTRICT -
EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and the

State.

2. The petitioners are apprehending arrest in connection with Pipra Kothi P.S. Case No. 187 of 2023 instituted under Sections 147, 341, 323, 332, 333, 353, 504, 506, 188 of the Indian Penal Code and section 3 and 4 of the Damage of Public Property Act lodged on 16.8.2023 by the informant, Sri Narayan Prasad Singh.

3. As per the prosecution story, the informant, who is a Police Officer alleged that keeping the dead body of one Ram



Dayal Paswan in front of house of Kumod Sharma, the accused persons were protesting violently causing problem to the people in general. When they went to pacify, they scuffled with the police party. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that they were passing through the area but were implicated in this case. None of them have criminal antecedents and further irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs. 2000/- each to the Chief Minister's Relief Fund, Bihar

5. Learned APP opposes the prayer stating that in the garb of protest, they every day create problem to the people moving on the road.

6. Though, the said kind of protest needs deprecation, in the present case, there is no injury to anybody, they have no criminal antecedents, this Court is inclined to extend them privilege of anticipatory bail subject to payment of Rs. 2000/- each to the Chief Minister's Relief Fund, Bihar

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court 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 the like amount each in connection with Pipra Kothi P.S. Case No. 187 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Motihari subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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 co-operate in the investigation and make themselves available to the police as and when required;

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

(v) 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;



(vi) 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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