

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22396 of 2024

Arising Out of PS. Case No.-585 Year-2023 Thana- BODHGAYA District- Gaya

1. Akhilesh Paswan S/O- Kali Paswan
2. Bimal Kumar @ Vimal Kumar S/O- Akhilesh Paswan
Both are R/O- Village- Durgapur, P.S.- Bodhgaya, Dist.- Gaya.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Gupta, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-04-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.
2. Learned counsel for the petitioners seek permission to withdraw the anticipatory bail application with respect to petitioner no.2.
3. Permission is accorded.
4. Accordingly, the anticipatory bail application is dismissed as withdrawn as against petitioner no.2.
5. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 149, 337, 353, 338, 427, 329 of the IPC.
6. The learned counsel for the petitioners submit that petitioner has antecedent of one case and has been falsely implicated in the instant case by the informant who is a



constable based on general and omnibus allegation. It is next submitted informant alleges that on 09.02.2023 at about 07:45 PM he got an information that there was an affray between two groups, on receiving the information the informant along with other constables went to village Durgapur and came to know that on account of dispute relating to passage there was a quarrel in between two groups, which were led by Ajay Sharma and Kameshwar Paswan. It is further alleged that Ajay Sharma, his wife and son Samir received injuries and were confined in a room, thereafter, the informant got the room opened and asked them to accompany to the police station, but a mob of 50-60 people gathered and started pelting stones at the police force and also abused Ajay Sharma, his wife and son. Further, Ajay Sharma and his family members were brought to the police station, but on account of pelting of stone the police vehicle got damaged, as such the accused persons created obstruction in discharge of official duty.

7. The learned counsel submits that the allegation are general and omnibus in nature. It is further submitted that petitioner came to be implicated based on secret information, which is the easiest way to implicate someone. The learned counsel next submits that petitioner will not abscond rather will



cooperate in the investigation.

8. The learned APP opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioner no.1 above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No.585 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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