

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51286 of 2024

Arising Out of PS. Case No.-385 Year-2023 Thana- CHAUTHAM District- Khagaria

Manoj Paswan Son of Late Suresh Paswan, Resident of Village - Hardiya
Ward No.- 8, P.S.- Chautham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Amar Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Satya Nand
Shukla, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Chautham P.S. Case No. 385 of 2023 registered under
Sections 448, 341, 452, 323, 354(B), 307, 379, 504, 506/34 of
the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named in the FIR, including the petitioner, outraged the
modesty of the daughter of the informant and had also assaulted
the informant and thereafter had committed theft in her house.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has falsely
been implicated in the present case. Learned counsel further



submitted that no such incident has taken place. The petitioner and informant are *agnates* and due to family rivalry, the false case has been lodged against the petitioner. Learned counsel also submitted that the allegation made against the petitioner is general and omnibus in nature. No specific allegation has been alleged against the petitioner. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, general and omnibus allegation has been levelled against the petitioner, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate- Ist Class, Khagaria in connection with Chautham P.S. Case No. 385 of 2023, subject to the condition as laid down under Section 438(2)



of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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