

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56014 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- BIRAUL District- Darbhanga

1. KISHUNDEV PASWAN @ KISHNUDEV PASWAN SON OF LATE MAHENDRA PASWAN RESIDENT OF VILLAGE - BISHANPUR, POLICE STATION - GHANSHYAMPUR, DISTRICT - DARBHANGA
2. RAGHAV KUMAR PASWAN SON OF KISHUNDEV PASWAN @ KISHNUDEV PASWAN RESIDENT OF VILLAGE - BISHANPUR, POLICE STATION - GHANSHYAMPUR, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Smiti Bharti, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-08-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seeks bail in connection with Biraul P.S. Case No. 130 of 2024 dated 27.03.2024 registered for the offences punishable under Sections 147, 148, 149, 120B, 186, 188, 341, 342, 323, 324, 325, 332, 333, 353, 307,337, 354B, 504 and 506 of the I.P.C.

3. As per the prosecution case, the informant got an information that a motorcycle was coming rashly and negligently from K. Asthan side and dashed with Tempo. At the same time, a prisoner's van was coming from the opposite side



due to which, one person came under the said van and died on the spot. The co-accused persons, Shashikant Jha and Dharmendra Singh are alleged to have instigated the 100-200 persons to enter the police station premises with intent to commit incident and about 50 people entered the police station premises and threw the chairs and government documents outside the police station and some people were holding inflammable substance in their hands and sound was come from the crowd to burn the police station. The petitioner and the co-accused persons were identified through the video footage with the help of *Mahal Chaukidar*. The petitioners are alleged to have abused, attacked the police party and also assaulted them with lathi and danda causing hindrance in discharging duties of public servant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. There is no specific allegation against the petitioners. It is submitted that there is general and omnibus allegation against the petitioners. No incriminating article has been recovered from the possession of the petitioners. The co-accused person has already been granted regular bail by this court vide order dated 01.08.2024 passed in Cr. Misc. No.



51273 of 2024. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application. The petitioners are in custody in this case since 28.03.2024.

5.Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Benipur, Darbhanga in connection with Biraul P.S. Case No. 130 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

