

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59350 of 2024

Arising Out of PS. Case No.-108 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

=====

Gorelal Paswan Son of Lochan Paswan Village- Karor, Ward No. 17,
Khanjahanpur, P.S.- Cheriya Bariyarpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Yogesh Kumar, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. In this present case, the petitioner is apprehending his arrest in connection with Cheriya Bariyarpur P.S. Case No. 108 of 2020, registered on 22.06.2020 for the offences under Sections 147, 149, 353, 323, 307, 332, 337, 120(B) and 427 of the Indian Penal Code.

3. As per prosecution case, police received information about assembly of petitioner and number of other co-accused persons in the form of a mob who were attacking the house of one Golu Paswan. Police reached there and tried to rescue the said Golu Paswan. While he was being removed from the spot by the police, he was assaulted by the members of the



mob and they also attacked the police personnel and resorted to stone pelting. Police somehow left the place with Golu Paswan without any noticeable harm.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no specific overt act has been attributed to him. Allegations are mostly general and omnibus against the petitioner and other co-accused persons. There is nothing on record to certify the fact that any door was broken or any person received any injury. The person who was rescued by the police personnel has also lodged a case bearing P.S. Case No. 109 of 2020 and the informant of this case is an influential person, he has encroached upon the public land which was objected by the villagers, but he, in connivance with the police, has lodged a false case against the petitioner and others. The petitioner never obstructed the police from performing their duties. Learned counsel further submitted that co-accused persons have been granted anticipatory bail by this Court vide order dated 05.04.2023 passed in Cr. Misc. No. 67611 of 2022. The petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the non-specific nature of allegation against the petitioner with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Manjhaul, Begusarai/concerned court in connection with Cheriya Bariyarpur P.S. Case No. 108 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

DKS/-

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

