

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69616 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- JAMALPUR District- Darbhanga

SATYA NARAYAN PASWAN Son of Late Guneshwar Paswan R/o vill -
Ghordaur, P.s. - Jamalpur, Dsitt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 341, 342, 323, 307, 504, 506, 34 IPC.

3. As per the prosecution case, when the informant was on
patrolling duty with the petitioner and other police personnel, he
saw a motorcycle without number plate and asked one
Ramakant Yadav (B.H.G. 2725) to carry out the motorcycle at
the police station. It is alleged when the informant was at a mill,
the petitioner and Ramakant Yadav came there on a motorcycle
and pointed barrel of Government rifle at the informant and
threatened the informant and forcefully took the informant on
police jeep and brought him to the police station.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that the informant himself is a quarrelsome person and used to disrespect his subordinate staff whenever he is in the drunken condition. The informant was transferred from Kiratpur P.S. to Manigachhi P.S., where he used to misbehave with other staffs and for that he was suspended on the recommendation of S.H.O., Manigachhi (Annexure-2 to the bail petition). It is further submitted that on the alleged dated the petitioner and the other co-accused were directed by the S.H.O. to anyhow carry the informant to the police station, thereafter the petitioner asked the informant to come along but he began abusing the petitioner and the co-accused and also misbehaved with the passer by in the state of intoxication. There is no specific overt act against the petitioner and he has clean antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing



bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Jamalpur P.S. Case No.74 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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