

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80996 of 2023**

Arising Out of PS. Case No.-356 Year-2023 Thana- NOORSARAI District- Nalanda

Surendra Paswan S/O Dawarika Paswan Resident Of Village- Muzaffarpur,  
P.S.- Noor Sarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rana Baljit Singh, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      04-01-2024      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 337, 338, 307, 353, 354, 504, 506 and 188 of the Indian Penal Code.

3. Prosecution case, in short, is that on 26.07.2023 at about 07:10 am, informant got information that a boy died in road accident. On information, police personnel reached on the spot and found that the family members of the deceased and about 100 other villagers have blocked the road and created trouble to other passers by and other vehicles. The police party stopped them from creating nuisance. In the meantime, about 50 villagers armed with rod, *danda* and bricks started forcibly



stopping the vehicles and the crowd also pelting stones on the police and creating hindrance in official duty of the police personnel .

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence as alleged. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Allegation against 16 F.I.R. named and about 70-80 persons including the petitioner of pelting stones on police personnel, and of creating hindrance in official duty of the police personnel. Petitioner is named in the F.I.R.. With the help of local *chaukidar* the people were identified who involved in the said occurrence. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, considering the argument of the parties and perusal of the record there is no overt act against the petitioner is found, 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 Noor Sarai P.S. Case No. 356 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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