

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.269 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- SOHSARAI District- Nalanda

Rakesh Paswan @ Karu Paswan S/o Late Indaru Paswan, R/o Village-
Lohgani, P.S- Sohsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate.

For the Opposite Party/s : Mr. Parmanand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sohsarai P.S. Case No.291 of 2023, registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 324, 307,
353, 332, 333, 504, 506 of the Indian Penal Code and under
Section 45 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, the accused persons
including the petitioner started pelting stone on the police party
and released the apprehended co-accused Karan Kumar from the
custody of the police team and all of them managed to escape
away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case only on the basis of suspicion. He further submits that there is no material on record to demonstrate the complicity of the petitioner with the alleged occurrence. He also submits that the petitioner has one criminal antecedent which belongs to Excise Act and there is no specific allegation of any overt act against the petitioner. Learned counsel submits that petitioner is in custody since 11.10.2023 and similarly situated co-accused persons namely Mangal Kumar, Ramvali Paswan and Ranjeet Paswan have been granted bail by the Co-ordinate Bench of this Court vide order dated 12.01.2024 passed in Cr. Misc. No.83457 of 2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned IV Additional District and Sessions Judge-cum-Special Judge, Excise 2nd, Nalanda at Bihar Sharif in connection with Sohsarai P.S. Case No.291 of 2023, subject to following conditions:-

(i) One of the bailors will be a close relative of the



petitioners.

(ii) Petitioner will co-operate in trial and will remain present on each and every date fixed by the court below and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Court below itself.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

Ritik/-

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

