

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5507 of 2025

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

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1. Awadhesh Paswan S/o Ramakant Paswan R/o Village- Karor, Ward No. 17, Khanjahanpur, P.S.- Cheriya Bariyarpur, District- Begusarai
 2. Sanjeet Paswan S/o Aklu Paswan R/o Village- Karor, Ward No. 17, Khanjahanpur, P.S.- Cheriya Bariyarpur, District- Begusarai
 3. Kiran Paswan @ Kirandeo Paswan S/o Rambadan Paswan R/o Village- Karor, Ward No. 17, Khanjahanpur, P.S.- Cheriya Bariyarpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogesh Kumar, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Cheriya Bariyarpur P.S. Case No. 108 of 2020 registered on 22.06.2020 for the alleged offences under Section 147, 149, 353, 323, 307, 332, 337, 120(B) and 427 of the Indian Penal Code.

03. As per prosecution case, police received information about assembly of petitioners 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.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case and no specific overt act has been attributed to him. Allegations are mostly general and omnibus against the petitioners and other coaccused 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 petitioners 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 orders dated 05.04.2023 and 21.09.2024 passed in Cr. Misc. No. 67611 of 2022 and Cr. Misc. No. 59350 of 2024. The petitioner no. 2 has



clean antecedent, petitioner no. 1 has antecedent of two cases and petitioner no. 3 has antecedent of one case.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non-specific nature of allegation against the petitioners with the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M., Manjhaul, Begusarai in connection with Cheriya Bariyarpur P.S. Case No. 108 of 2020, subject to the condition 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 petitioners.
- (ii) The petitioners 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)

Anuradha/-

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