

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18652 of 2025

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

Chiku Paswan Son of Munshi Paswan R/o Lohgani, P.S.- Sohsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushen Kumar Keshri

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Sohsarai P.S. Case No. 291 of 2023, lodged on 10.10.2023, under Sections 147/148/149/341 /323 / 324/307/353/332/333/504/506 of the Indian Penal Code and under Section 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution, FIR has been lodged against 14 named accused persons including the present petitioner and 10 to 12 unknown accused persons. From the FIR it transpires that the police, on the secret information that wine is being sold



by someone, reached at the spot then the accused persons started assaulting to police by brick batting as well as trying to obstruct in discharging the official duty.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner has found in drunken condition. Counsel further submits that antecedent of the petitioner is not clean. Counsel submits that there are five criminal cases pending against the petitioner. He specifically mentioned that there are two criminal cases, namely, SC/ST Case No.39 of 2022 and SC/ST Case No.32 of 2022 were wrongly mentioned in the order sheet. Counsel submits that in some cases he is on bail and in some cases he is persuading for bail. Counsel submits that the petitioner is in custody since 20.11.2024. Counsel submits that some of the accused persons have been granted bail by this Court as well as by a coordinate Bench of this Court vide Annexure-2 series.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the above named petitioner be released on bail **on being satisfied that petitioner is not absconding in the following**



cases, i.e., (i) SC/ST P.S. Case No.39 of 2022, (ii) SC/ST P.S. Case No.32 of 2022 (iii) Sohsarai P.S. Case No.267 of 2007, (iv) Sohsarai P.S. Case No.164 of 2022 and (v) Sohsarai P.S. Case No.155 of 2017, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Sessions Judge-IV-cum-Special Judge, Excise Act-II, Biharsharif, Nalanda, in connection with Sohsarai P.S. Case No. 291 of 2023, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

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