

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34640 of 2025**

Arising Out of PS. Case No.-217 Year-2024 Thana- MALI District- Aurangabad

1. Pradeep Paswan S/o Tunna Dusadh Paswan @ Tunna Paswan @ Tunna Dusadh Resident of Village- Bariyawa, P.S.- Mali, District- Aurangabad
2. Sujit Kumar S/o Tunna Dusadh Paswan @Tunna Paswan @ Tunna Dusadh Resident of Village- Bariyawa, P.S.- Mali, District- Aurangabad
3. S/o Tunna Dusadh Paswan @Tunna Paswan @ Tunna Dusadh S/o Ram Janam Paswan Resident of Village- Bariyawa, P.S.- Mali, District- Aurangabad
4. Bhola Paswan S/o Ram Janam Paswan Resident of Village- Bariyawa, P.S.- Mali, District- Aurangabad
5. Dilip Paswan @ Dilip Kumar S/o Tunna Dusadh Paswan @ Tunna Paswan @ Tunna Dusadh Resident of Village- Bariyawa, P.S.- Mali, District- Aurangabad
6. Rohit Kumar @ Ranjeet Kumar S/o Tunna Dusadh Paswan @ Tunna Paswan @ Tunna Dusadh Resident of Village- Bariyawa, P.S.- Mali, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                        |
|----------------------|---|----------------------------------------|
| For the Petitioner/s | : | Mr. Krishna Prasad Singh, Sr. Advocate |
|                      | : | Mr. Rakesh Singh, Advocate             |
| For the State        | : | Mr. Bharat Bhushan, APP                |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      22-05-2025                      Heard Mr. Krishna Prasad Singh, learned Senior Counsel duly assisted by Ms. Sneha Shruti and Mr. Bharat Bhushan, learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Mali P.S. Case No. 217 of 2024 for the offence under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 132, 352, 351(2) and 351(3) of the B.N.S., lodged on



16.11.2024 by the informant, Suraj Kumar.

3. As per the prosecution story, the Police in connection with Deo P.S. Case No. 103 of 2024 went in search of Santalesh Kumar. However, no one opened the door and the locals attacked the Police causing injuries. This led to the F.I.R.

4. Learned Senior Counsel submits that all the villagers have been rounded off on the basis of their criminal antecedent, they have no role to play in the matter. Last submission is that without accepting the allegation or outcome of the petition the petitioners intend to pay Rs.2,000/- each (totaling Rs.12,000/-) by Demand Draft issued by the local branch of the State Bank of India to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer submitting that all of them ensured that Santalesh Kumar has not been taken away by the Police.

6. Considering the submissions of the parties as also that omnibus allegation is/are against all the accused persons, F.I.R. is there, they shall be facing the trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.2,000/- each (totaling Rs.12,000/-) by Demand Draft issued by the local branch of the



State Bank of India to the Chief Minister's Relief Fund and the receipt has to be submitted before the learned Trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Mali P.S. Case No. 217 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for  
cancellation of the bail bonds;

(v) the petitioners shall desist from committing any  
criminal offence again, failing which the State shall be at liberty  
to take steps for cancellation of bail bonds.

**(Rajiv Roy, J)**

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