

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40912 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- ALOULI District- Khagaria

Suresh Paswan @ Suresh Kumar S/o Late Dukhi Paswan R/o- Ward No. 05,
Village- Bahadurpur, P.S.- Bahadurpur, Dist.- Khagaria, Bihar- 848203

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends his arrest in a case registered for the offence punishable under sections under sections 127 (2), 308 (2), 3(5) of BNS and sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3 . As per the prosecution case , informant namely Ashutosh Kumar alleged that on 12.03.2024, while he was returning from a party at midnight, his vehicle was intercepted by police , and they falsely implicated him in excise case and took him into custody. It is further alleged that after taking cash of Rs. 80,000, police released the informant from custody .

4. It is submitted on behalf of the petitioner that



petitioner is innocent and has falsely been implicated in this case . At the time of incident, petitioner was on his duty and has got no concern with the aforesaid incident. From bare perusal of F.I.R. it would be apparent that the alleged occurrence took place on 12.03.2025 but the present case has been lodged on 20.03.2025 for which there is no explanation which itself creates doubt over the entire prosecution . Allegation is general and omnibus. It is further submitted that Section 3 of the SC/ ST Act is not attracted against the petitioner for the reason that petitioner also belongs to SC category . It is further submitted that the dispute between the parties has already been settled and a compromise petition has been filed before the learned Court below on 16.04.2025 i. e ., Annexure P / 2 to the bail petition . Petitioner claims clean antecedent.

5 . Learned counsel for the State opposed the bail petition .

6 Considering the fact that the dispute between the parties has already been settled , clean antecedent of the petitioner and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the



like amount each to the satisfaction of the learned District and
Additional Zession Judge Ist – cum – special Judge sc / st
Khagaria in connection with Alauli P.S. Case No. 117 of 2025 ,
subject to the conditions laid down under section 482(2) of the
Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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