

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75876 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- RISIYAP District- Aurangabad

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1. Pramod Paswan S/O Syam Bihari Paswan R/O Village-Khetpura, P.S -Risiyap, District-Aurangabad.
 2. Shyam Bihari Paswan S/O Late Naurang Paswan R/O Village-Khetpura, P.S -Risiyap, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 10-01-2025 Learned counsel for the petitioners seeks permission to withdraw the petition for anticipatory bail of petitioner no.2 Shyam Bihari Paswan.

2. Permission is accorded.

3. Accordingly, the petition for anticipatory bail of petitioner no.2 Shyam Bihari Paswan is dismissed as withdrawn.

4. Heard learned counsel for the petitioner no.1 Pramod Paswan and learned APP for the State.

5. In this present case, the petitioner no.1 is apprehending his arrest in connection with Risiyap P.S. Case No. 22 of 2024, registered for the offences under Sections 147, 149, 323, 307, 353, 332, 336, 337, 504 and 506 of the Indian Penal Code.



6. As per prosecution case, during immersion of idol of Goddess Saraswati, the informant prevailed upon the processionists to immerse the idol at certain identified place. Aggrieved by the act of the informant, the petitioner and a number of other co-accused persons surrounded the police party and abused and assaulted them. The *Chowkidar* disclosed the name of the petitioner along with 17 other named co-accused persons apart from 15 unknown persons.

7. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner was not present at the place of occurrence at the alleged time and date. The petitioner never prevented the police party in discharging its duties. Petitioner is having clean antecedent.

8. Learned APP opposes the prayer for anticipatory bail.

9. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with general and omnibus allegations without substantive material against the petitioner and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the



petitioner no.1 Pramod Paswan, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Aurangabad/concerned court in connection with Risiyap P.S. Case No. 22 of 2024, subject to the conditions as 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 **petitioner no.1**.
- (ii) The **petitioner no.1** 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)

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