

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70544 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- Singhaul District- Begusarai

1.

Nirala Paswan Son of Vakil Paswan Resident of village- Sushil Nagar, Ward No. 05, P.S -Shinghol, Distt- Begusarai
2.

Sulena Devi Wife of Vakil Paswan Resident of village- Sushil Nagar, Ward No. 05, P.S -Shinghol, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 24-02-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Singhol P.S. Case No. 92 of 2024 registered for the offences punishable under Sections 126(2), 115, 121(1), 132, 74, 352, 351(3) and 3(5) of the B.N.S.

3. Earlier the petitioner was granted provisional bail vide order dated 07.10.2024 and learned counsel for the petitioner seeks confirmation of the provisional bail granted to the petitioners.

4. As per the prosecution case, the petitioners and other are said to have caused obstruction in government work by



abusing and pushing the informant and one lady constable in front of Kamli Devi who is said to have made a complaint against her husband (petitioner no. 1) that the petitioner no. 1 is going to solemnize marriage with another lady. It is alleged that during the scuffle, police uniform of the male constable got torn and they also misbehaved with the lady constable.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged in the F.I.R. and they have falsely been implicated in the present case. He further submits that the petitioner no. 1 is the husband of Kamli Devi who is said to have made complaint against the petitioner no. 1 that he was going to solemnize marriage with another lady. He further submits that police has no statutory provision on its own to verify that whether the petitioner no. 1 has committed bigamy by solemnizing marriage with another land. It is totally high handedness of police that police has on its own verified the act of the petitioner no. 1 that he was going to marry with another lady. He further submits that the occurrence is nothing but the high handedness of police to trap the petitioners in false case. He further submits that the petitioners have categorically denied the allegation made against them in the F.I.R. He further submits that except Sections 132



and 74 of B.N.S., all sections are bailable in nature, the petitioners are in custody since 15.07.2024. The petitioner no. 1 bears one criminal antecedent in which he is on bail and the petitioner no. 2 bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts of the case, the period of custody, charge-sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, arguments advanced on behalf of both sides and also taking into consideration the material available on record, the provisional bail granted to the petitioners vide order dated 07.10.2024 is hereby confirmed in connection with Singhol P.S. Case No. 92 of 2024 to the satisfaction of learned Court concerned, Begusarai.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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