

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83391 of 2024**

Arising Out of PS. Case No.-372 Year-2024 Thana- NOORSARAI District- Nalanda

1. Aazad Paswan, S/O Kapil Paswan R/O Village- Doiya, P.S- Noorsarai, Dist- Nalanda
2. Chhotu Paswan @ Indrajeet Paswan, S/O Mallu Paswan R/O Village- Doiya, P.S- Noorsarai, Dist- Nalanda
3. Pratik Paswan @ Nikki Kumar @ Rikki Kumar S/O Deven Paswan R/O Village- Doiya, P.S- Noorsarai, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nitee Ranjan, Advocate  
Mr. Parmanand Prasad, Advocate  
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

3      17-01-2025                      1.    Heard    Mr. Nitee Ranjan, learned counsel for the  
  
petitioners and Mr. Ram Anurag Singh, learned APP for the  
  
State.

2.      The    petitioners    apprehend    their    arrest    in  
  
connection with Noorsarai P. S. Case No. 372 of 2024    dated  
  
21.08.2024    registered    for    the    offence(s)    punishable    under  
  
Section(s)    191    (2),    190,    127(1),    127(2),    115(2),    109,    132,  
  
121(1),    324(3),    352,    351(2)    BNS    and    Section    3    of    Damage    to  
  
Public Property Act.



3. The main submissions advanced by the learned counsel for the petitioners are that the FIR in itself shows that a crowd of 80-100 people is alleged to have committed the alleged occurrence as to creating obstacle in the duty of the officials of fire brigade department and damaging their vehicles when they arrived at the place of occurrence to extinguish the fire but against the petitioners there is no specific allegation and they are simply alleged to be the members of the alleged mob and further they have been made accused mainly on the basis of their identification done by the local villagers and local Chaukidar but it is an admitted position that no videography was done in respect of the commission of the alleged occurrence. It is further submitted that the petitioner no.1 is suffering from cancer disease and is under treatment in Delhi since last three years though against the petitioner nos. 1 and 2 there is criminal antecedent of some cases but all of them relate to different nature of offences. It is further submitted that two co-accused persons namely, Billa Paswan and Sheru Paswan @ Sheru Kumar carrying similar nature of allegation have been granted the relief of anticipatory bail by this court vide order dated 08.01.2025 passed in Cri. Misc. No. 89758 of 2024 and the case of the petitioners stands on similar footing with them. It is



further submitted that in the alleged occurrence the officials of the fire brigade department sustained simply injuries regarding which the order impugned may be perused.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions advanced by petitioners' counsel and mainly taking into account the fact that a large crowd consisting of more than 80 people is alleged to have committed the alleged occurrence though, the petitioners are named in the FIR but any specific role of any of them in the commission of the alleged occurrence has not been revealed and the petitioner no.1 is said to be a cancer patient and above-mentioned two co-accused persons carrying similar nature of allegation have been granted the relief of anticipatory bail, in my opinion, in the said circumstances, the petitioners deserve to the same privilege. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Noorsarai P. S. Case No. 372 of 2024 on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the



conditions as laid down under Section 484(2) of the BNSS.

(Shailendra Singh, J)

Rajiv/-

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