

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81554 of 2025

Arising Out of PS. Case No.-153 Year-2025 Thana- GOH District- Aurangabad

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Birendra Paswan @ Birendra Kumar, S/o Munnilal Paswan, R/o Village -
Bhurkunda, P.S - Goh, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr. Indihar Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-12-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Goh P.S. Case No. 153 of 2025, registered for the offences
punishable under Sections 191(2), 191(3), 190, 189(6), 115(2),
109(1), 352, 351(2), 324(4), 126(2) and 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. On the fateful day, altogether 22 named accused
persons including the petitioner as well as 20-25 unknown
persons surrounded the house of the informant and threatened
with dire consequences on account of non-payment of extortion
money of rupees five lakh. When the informant concealed
himself in his house, the accused persons damaged the vehicles



of the informant, which were kept outside. It is specifically alleged that co-accused Rabindra Paswan, Devrul Paswan, Kavindra Paswan, Nagendra Paswan and Phulendra Paswan had been regularly threatening for payment of extortion money; the aforesaid incidence led to lodging of the FIR.

4. Learned Advocate appearing on behalf of the petitioner referring to the FIR contended that so far the demand of extortion is concerned, it is specifically alleged against aforementioned accused persons. There is omnibus allegation against the petitioner and save and except the petitioner is said to be a member of the mob, there is no allegation of any overt act. Only because of two past criminal antecedent as has been disclosed in paragraph no. 3, his prayer of bail was turned down by the Court below. The petitioner has nothing to do with the present occurrence and claiming himself to be innocent.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that the petitioner is a member of unlawful assembly, who used to demand extortion from the innocent persons.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the case and counter case bearing Goh



P.S. Case No. 155 of 2025 registered against the informant and others, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Aurangabad in connection with Goh P.S. Case No. 153 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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