

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88595 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- BEERPUR District- Begusarai

Raja Ram Paswan Son of Late Vishwanath Paswan Resident of village-
Bhawanandpur ward no. 5, PS- Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv
Ms. Vaishnavi Singh, Adv
Mr. Ritwik Thakur, Adv
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 15-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Birpur P.S. Case No. 179 of 2024 registered for the offences punishable u/s 191(2), 190, 115(2), 127(2) and 103(1) of the Bhartiya Nyaya Sanhita.

3. As per the prosecution case, it has been alleged that the petitioner along with nine other named persons had assaulted two persons who were apprehended on the pretext of committing theft, namely, Rahul Kumar and Mohit Kumar. The informant has alleged that when the police arrived at the place of occurrence, these two persons, namely, Rahul Kumar and Mohit Kumar were found to be tied to a tree while it was



alleged that the named accused as well as around 60-70 unknown persons had assaulted the two persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case and there is general and omnibus allegation against all the accused persons. It has further been submitted that there is no eye witness to the said occurrence and subsequently during investigation, the second theory which was developed, of the boy Mohit Kumar having love affairs with one of the girls of the village is also not connected with the petitioner. It has lastly been submitted that the petitioner has antecedent of four cases as stated in para 3 of the bail petition and is in custody since 07.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail by stating that one of the two persons who had been assaulted by the petitioner and others namely, Mohit Kumar had subsequently died due to the injury received during that assault.

6. Considering the aforesaid facts and circumstances of the case specially the fact that there is general and omnibus allegation against all the accused persons and also taking into account the two orders which has been brought to



the notice of this Court whereby one co-accused namely, Sanjay Paswan was granted bail vide order dated 07.03.2025 passed in Cr. Misc. No. 11477 of 2025 while another co-accused namely, Prushottam Ray @ Prushottam Kumar has also been granted bail vide order dated 07.03.2025 passed in Cr. Misc. No. 12245 of 2025, let the petitioner above-named, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Birpur P.S. Case No. 179 of 2024.

7. The application stands allowed.

(Sourendra Pandey, J)

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