

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46653 of 2021

Arising Out of PS. Case No.-205 Year-2020 Thana- BIKRAMGANJ District- Rohtas

Bhola Paswan @ Kariya Paswan @ Bhola Nath Paswan, S/o Rajkumar
Paswan R/o Village- Baruna, P.S.- Bikramganj, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-03-2022 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek bail in connection with
Daudnagar P.S. Case No. 72 of 2021 registered for the offence
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per FIR, petitioner along with other accused
persons assaulted the husband of informant and his son with
lathi – danda due to which they got injuries on the head and
hand on account of land dispute between the parties.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. He further submits that it appears
from the FIR that the occurrence took place on 15.05.2020 but
the FIR is lodged after delay of one week i.e. on 22.05.2020. He



further submits that the present case is counter case filed by the co-accused namely Ravindra Paswan against the informant and her family members on 15.05.2020 itself. He further submits that it appears from the injury report that only two persons were injured and the injury report reveals that the injuries are simple in nature. He further submits that the deceased died after 18 days of the date of occurrence. He further submits that during treatment he died and the police after investigation submitted charge-sheet against the petitioner and other accused persons. Petitioner is in custody since 23.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 205 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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