

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8477 of 2023**

Arising Out of PS. Case No.-26 Year-2021 Thana- BAKHARI District- Begusarai

RAJ KISHORE PASWAN @ RAJ KISHOR PASWAN SON OF LATE  
RAGHO PASWAN R/O VILLAGE- KARAITAR (KARARI TOD), POST-  
SHAMSHA, P.S.- BAKHRI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      05-05-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
29.08.2022 in connection with Bakhri P.S. Case No. 26/2021,  
F.I.R. dated 25.01.2021, for the offences punishable under  
Sections 354, 323, 341, 509, 307, 504, 506 of the Indian Penal  
Code and Section 27 of the Arms Act.

According to prosecution case, the petitioner along  
with other co-accused persons tried to outrage the modesty of  
the girls and when the informant intervened, the petitioner and  
others entered into his institution and fired at him.

Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case. He



further submits that from bare perusal of the F.I.R. it transpires that the allegation of firing is attributed against the co-accused persons, namely, Rohit Paswan and Amarjeet Paswan. There is no accusation of any assault or overt act against the petitioner and the co-accused persons, namely, Rohit Paswan and Amarjeet Paswan @ Gulabiya have been granted bail by a Co-ordinate Bench of this Court vide order dated 28.09.2022 passed in Cr. Misc. No. 32992/2022 and Cr. Misc. No. 33290/2022 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 29.08.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 Sri Ajay Kumar Mishra, J.M.1st Class, Begusarai in connection with Bakhri P.S. Case No. 26/2021, subject to 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 bond shall be cancelled by the Court below.

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

3. 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 antecedent, 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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