

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21091 of 2024**

Arising Out of PS. Case No.-809 Year-2023 Thana- ARA NAGAR District- Bhojpur

Vishwajeet Paswan Son Of Sri Manoj Paswan R/O Vill- Sri Tola, Ps- Nawada
Ara, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Adv. Mr. Ajay Kumar Thakur, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s	:	Ms. Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 02-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ara Town P.S. Case No. 809 of 2023, lodged on 02.10.2023
under Sections 147, 148, 149, 427, 448, 354, 307 of the Indian
Penal Code read with section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against nine named (including the present petitioner) and 8-10
unknown accused persons against whom there is an allegation
that they have surrounded the house of the informant and start
damaging the vehicles and subsequently, firing was made with



threat to leave the house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that informant and the petitioner both are resident of same village and are well known to each other. Counsel further submits that due to petty dispute, the said occurrence took place. Counsel submits that though there is an allegation under section 307 I.P.C. and section 27 of the Arms Act was there, but neither any person was injured nor any arms were recovered.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there are eleven criminal cases pending against him in which in ten cases, he is on bail and in one case, he is persuading for bail. The petitioner is in custody since 04.01.2024 in the present case. Counsel submits that there is a general and omnibus allegation against all the accused persons.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and there are eleven criminal cases pending against him. This aspect may be taken into consideration while considering the bail application of the



petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only two months after framing of charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S. Case No. 809 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- ◆ Ara Town P.S. Case No. 93 of 2017.
- ◆ Ara Town P.S. Case No. 455 of 2018.
- ◆ Ara Town P.S. Case No. 46 of 2015.
- ◆ Ara Town P.S. Case No. 94 of 2017.
- ◆ Ara Town P.S. Case No. 374 of 2016.
- ◆ Ara Town P.S. Case No. 425 of 2021.
- ◆ Ara Town P.S. Case No. 421 of 2021.
- ◆ Ara Nawada P.S. Case No. 918 of 2020.
- ◆ Ara Town P.S. Case No. 437 of 2022.



- ◆ Koilwar P.S. Case No. 307 of 2018.
- ◆ Bikramganj P.S. Case No. 288 of 2017.

(Dr. Anshuman, J.)

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