

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28817 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- DEEPNAGAR District- Nalanda

Rajiv Paswan S/o Sukhu Paswan @ Sukhdev Paswan Resident of Village-
Maghra, P.S. Deepnagar, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Deep
Nagar P.S. Case No. 256 of 2023 instituted for the offences
under Sections 147, 148, 149, 323, 307, 379, 504, 506 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is of firing upon the
Informant as also of assaulting him by means of rod. It has
further been alleged that the petitioner is also involved in selling
of *Charas* and organizing gambling.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He submits that the petitioner is only a member of the mob. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of assault has been attributed against co-accused Tinku Paswan and Sohrai Paswan. Nothing incriminating has been recovered from the physical/conscious possession of the petitioner. The petitioner has three criminal antecedents and is languishing in judicial custody since 08.01.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Akshay Paswan, Kunal Paswan and Bijendra Paswan have been granted bail by this Court vide order dated 26.04.2024 passed in Cr. Misc. No. 31980 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner and the claim for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of Court below/concerned
Court in connection with Deep Nagar P.S. Case No. 256 of
2023.

(Rudra Prakash Mishra, J)

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