

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36453 of 2024

Arising Out of PS. Case No.-169 Year-2023 Thana- BIRAUL District- Darbhanga

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Anirudh Paswan Son Of Naresh Paswan Village-Lohni, P.S.- Biroul, Dist-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Biroul P.S. Case No. 169 of 2023, lodged on 26.04.2023 under
Sections 457, 382, 307, 411/34 of the Indian Penal Code and u/s
25(1-b)a, 26, 35 and 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against five named accused persons including the present
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner was not apprehended from the place of occurrence
rather his name has been disclosed by the apprehended co-
accused person. Neither any incriminating material has been



recovered from his possession nor he was put on TIP. Counsel also submits that the name of the petitioner has been figured in this case only by virtue of confessional statement of the apprehended co-accused person. Counsel further submits that the criminal antecedent of the petitioner is not clean and there are five criminal cases pending against him in which he is persuading for bail in all cases. The petitioner is in custody since 22.10.2023 in the present case.

5. 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 this aspect may be taken into consideration while considering the bail application of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail**, but only after framing of charge, if not framed on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Biraul at Darbhanga in connection with Biraul P.S. Case No. 169 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.



7. 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:-

- (I)-Biraul P.S. Case No. 166 of 2010.
- (II)-Khanpur P.S. Case No. 123 of 2011.
- (III)-Baheri P.S. Case No. 62 of 2014.
- (IV)-Alinagar P.S. Case No. 10 of 2020.
- (V)-Bahera P.S. Case No. 232 of 2014.

(Dr. Anshuman, J)

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