

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35926 of 2024

Arising Out of PS. Case No.-13 Year-2018 Thana- GWALPARA District- Madhepura

Sanjeev Paswan @ Dara Paswan Son of Late Chandradeep Paswan @
Chandradeo Paswan Resident of Village - Shyam, P.S.- Gwalpara, District -
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gwalpara P.S. Case No. 13 of 2018, lodged on 08.02.2018 under
Sections 147, 148, 149, 341, 323, 324, 307, 504, 120(B) of the
Indian Penal Code read with sections 25(1-b)a, 26, 35, 27 of the
Arms Act.

3. As per the prosecution case, the FIR has been
lodged against 3 named accused persons including the present
petitioner and 14-15 unknown accused persons. It has been
alleged in the FIR that all accused persons have surrounded the
informant and started abusing him on petty issue of standing the
tractor near the road side. The allegation against the present



petitioner is that he has put pistol on the head of the informant and other accused persons have assaulted and firing also took place by which the informant sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that by the action of the petitioner, no injury has been caused and the death has not been caused to anyone in this case. Counsel further submits that co-accused Rajesh Kumar who was arrested with *desi katta* has been granted bail by the Co-ordinate Bench of this Court *vide* order dated 13.07.2018 passed in Cr. Misc. No.36864 of 2018. Counsel also submits that co-accused person Mansur Paswan has also been granted bail by the Co-ordinate Bench of this Court *vide* order dated 18.06.2018 passed in Cr. Misc. No.33533 of 2018.

5. Learned counsel for the petitioner further submits that the criminal antecedent of the petitioner is not clean and there are 22 criminal cases pending against him in which in 18 cases, he is on bail. The petitioner is in custody since 13.12.2023 in the present case.

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 as there are 22 criminal cases pending



against him. Counsel further submits that from bare perusal of paragraph no.3 of the bail application, it transpires that there are in total 12 criminal cases against the petitioner in which the case has been lodged under section 302 of the IPC. Counsel also submits that by the action of the petitioner, the injury has been caused to the informant and all accused persons including the present petitioner gathered together and committed the offence mentioned in the FIR.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Gwalpara P.S. Case No. 13 of 2018, pending before the learned Judicial Magistrate 1st Class, Udakishunganj, Madhepura is **hereby rejected**.

9. Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

(Dr. Anshuman, J)

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