

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37705 of 2024

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

Amarjeet Paswan Son of Nepali Paswan R/O Village- Lohni, P.S. Biroul,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mohammad Sufyan, APP.

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. The allegation in the FIR is of house-trespassing and
loot of articles along with cash amount.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Nothing
incriminating material has been recovered from his possession.
Counsel also submits that the name of the petitioner has falsely



been implicated in this case due to village politics.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there are eight criminal cases pending against him in which he is persuading for bail in all cases. The petitioner is in custody since 02.05.2023 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 and 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 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.

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:-

- (I)-Biroul P.S. Case No. 130 of 2008.
- (II)-Biraul P.S. Case No. 166 of 2010.
- (III)-Khanpur P.S. Case No. 123 of 2011.
- (IV)-Barera P.S. Case No. 232 of 2014.
- (V)-Bahera P.S. Case No. 323 of 2014.
- (VI)-Baheri P.S. Case No. 62 of 2014.
- (VII)-Alinagar P.S. Case No. 10 of 2020.
- (VIII)-Roshra P.S. Case No. 91 of 2020.

(Dr. Anshuman, J)

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