

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48937 of 2024

Arising Out of PS. Case No.-198 Year-2015 Thana- CHARPOKHARI District- Bhojpur

Munna Paswan @ Mukhiya Paswan Son of Girdhari Paswan Resident of Vill-
Agiaon Bazar, Paswan Toli, P.S.- Agiaon Bazar in the District- of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-09-2024 Heard Mr. Sunil Kumar, learned Advocate for the
petitioner and the learned APP for the State.

2. Application for grant of bail to the petitioner, who
is in custody in connection with Charpokhari P.S. Case No.198
of 2015 registered for the offence punishable under Sections 10,
13, 16 and 17 of U.A.P.A. Act and Section 17 of C.L.A. Act.

3. The police on a secret information that some
naxalites planted land mines between two bridges situated at
Charpokhari-Kashrai road, rushed to the place of occurrence
along with Cobra Batallion and his team. After intensive search
the police found the electric wire and two small gas cylinder
covered in a plastic. All the explosive substance were removed
by the Anti Explosive Squad.

4. Learned Advocate for the petitioner contended that
the FIR has been instituted against unknown
naxalites/miscreants, however, during the course of
investigation the name of the petitioner has been surfaced on the



confession of co-accused Chhedi Paswan @ Achchhelal Paswan. The present FIR was registered way back in the year 2015, however, the investigation continued till now and moreover the petitioner has been arrested from his house on 06.05.2024 after about nine years. The other co-accused persons whose names have also been surfaced during the course of investigation they have been allowed bail by this Court, the particulars of which have been duly mentioned in Paragraph No.12. The petitioner having fair antecedent and in custody since 07.05.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case against the petitioner is based upon confessional statement, coupled with the fact that the other co-accused persons having similar allegation have been allowed the privilege of regular bail and the investigation of the crime is complete, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur, Ara in connection with



Charpokhari P.S. Case No.198 of 2015, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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