

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55124 of 2024**

Arising Out of PS. Case No.-577 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

SHAKTI PASWAN SON OF LAL PASWAN RESIDENT OF VILLAGE -  
KHASKHORI, P.S. - VISHUNGANJ (MAKHDUMPUR), DISTRICT -  
JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, APP

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

ORAL ORDER

2      02-08-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in connection with  
Makhdumpur (Tehta O.P.) P.S. Case No. 577 of 2023 instituted  
for the offences under Sections 399, 402, 414, 420, 467 and 468  
of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the  
Arms Act.

3. As per the F.I.R., on the basis of the confessional  
statement of the co-accused made in Makhdumpur P.S. Case No.  
570 of 2023, police raided the house of two co-accused persons  
Kundan Kumar and apprehended two co-accused persons,  
namely Subodh Kumar and Kundan Kumar whereas four  
persons managed to flee away. On search, several arms and



ammunitions were recovered from the accused persons.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner was not apprehended on the spot, rather his name was disclosed by apprehended co-accused persons. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Charge-sheet has been submitted in this case. The co-accused person has already been granted bail by this Bench vide order dated 03.04.2024 passed in Cr. Misc. No. 15505 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.04.2024 and has four criminal antecedents but he has been acquitted in one case. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner 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 Makhdumpur (Tehta O.P.) P.S. Case No. 577 of 2023.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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