

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70283 of 2023

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

Hira Paswan @ Kapchi Paswan, son of Late Suresh Paswan Village- Lohani
Ps- Birdul Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Biraul P.S. Case No. 169 of 2023, lodged on 26.04.2023 under
Sections 457, 382, 307, 411, 34 of the Indian Penal Code read
with section 25(1-b)a/26/35/27 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 that of house trespass and
loot of articles with cash.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that from bare perusal of the FIR, it transpires that
the petitioner has not been apprehended from the place of



occurrence, rather, the apprehended accused person namely Amarjeet Paswan has disclosed the name of the petitioner and others in this case. Counsel further submits that nothing specific has been made against the petitioner.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is not clean and there are five criminal cases pending against him in which he is on bail. The petitioner is in custody since 26.04.2023 in the present case. Counsel also submits that the charge-sheet has already been submitted in this case.

6. Learned APP for the State opposes the prayer for bail 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**, 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, 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)- Biraul P.S. Case No. 166 of 2010.

(II)- Alinagar P.S. Case No. 10 of 2020.

(III)- Khanpur P.S. Case No. 123 of 2011.

(IV)- Bahera P.S. Case No. 232 of 2014.

(V)- Bahera P.S. Case No. 323 of 2014.

(Dr. Anshuman, J.)

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