

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2992 of 2025

Arising Out of PS. Case No.-145 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Rajiv Paswan, Son of Raghunath Paswan, Resident of village- Khairwa, PS
-Majorganj Dist -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Majorganj P.S. Case No. 145 of 2024 registered for the offences punishable under Sections 393 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. Based upon the *fardbeyan* of the informant, the prosecution alleges that on 19.04.2024 at about 02:50 PM, while the informant was going to Riga after exchanging Rs. 1,60,000/- Nepali currency into Indian currency to purchase some goods, in the meantime, three unknown miscreants overtook his motorcycle and when the informant did not stop, one of the miscreants fired upon the informant due to which he sustained a bullet injury in his stomach. On screaming made by the



informant, the miscreants fled away.

4. Learned counsel for the petitioner contended that the alleged occurrence took place on 19.04.2024, however, the FIR has been instituted on 22.04.2024. Though the *fardbeyan* of the informant was recorded in Nandipath Memorial Hospital, Sitamarhi, where he was under treatment but he did not disclose the name of any of the person and, as such, the FIR has been instituted against unknown miscreants. During the course of investigation, one Anish Singh was apprehended and the name of the petitioner has surfaced on his confessional statement. Save and except the confessional statement, there is no material suggesting complicity of the petitioner in the present crime. In fact, on account of past two criminal antecedent of identical nature, the name of the petitioner has been implicated. Neither the petitioner has been put on T.I. parade nor there is recovery of any incriminating material. Moreover, the investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the name of the petitioner has transpired in the confessional statement of co-accused person, who committed this crime in broad day light and also caused bullet injury to the informant.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the FIR has been instituted against unknown miscreants and the only material against the petitioner is the confessional statement, coupled with the fact that the charge-sheet has been submitted but till date the petitioner has not been put on T.I. parade, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Majorganj P.S. Case No. 145 of 2024, 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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