

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4793 of 2025

Arising Out of PS. Case No.-250 Year-2023 Thana- ASHTHAWAN District- Nalanda

Nawalak Paswan S/O Chandeshwar Paswan R/o- Chulihari, PS- Asthawan,
Distt.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savita Devi W/O Haro Paswan @ Santosh Paswan R/o- Chulihari, PS-
Asthawan, Distt.- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 15-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Asthawan P.S. Case No. 250 of 2023 registered for the offences punishable u/s 341, 323, 364A, 504, 506 and 302 read with Section 34 of the I.P.C.

3. As per the prosecution case, on 20.12.2022 at about 7:00 A.M., all the five named accused persons taken had away the son of the informant, thereafter, they did not return. On 21.12.2022, the informant gave an information to Asthawan Police Station that the accused persons had kidnapped his son.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is general and omnibus allegation against the petitioner and there is delay of five months in lodging the FIR without giving any plausible reason. It is next submitted that the informant herself admitted that her son was of unsound mind. It is lastly submitted that the petitioner has clean criminal antecedents and is in custody since 30.10.2024 and he is an old man of 65 years of age.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner was involved in killing of the informant's son and during the course of the investigation, some people have stated that due to some dispute, it was the accused persons who had killed the son of the informant.

6. Considering the aforesaid submissions of the parties and taking into account the fact that there is general and omnibus allegation against the petitioner and also considering the period of custody, let the petitioner above-named, be enlarged 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 Court concerned, Nalanda, in connection with Asthawan P.S. Case No. 250 of 2023, subject to



the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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