

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9434 of 2025

Arising Out of PS. Case No.-123 Year-2022 Thana- PATNA CITY CHOWK District- Patna

Raghubir Paswan S/o Sri Rambabu Paswan R/o Bahri Begampur, Sidhe
Bazar, Patna City, P.s.- Bypass, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chowk
P.S. Case No. 123 of 2022 dated 14.03.2022, instituted for the
offence punishable under Sections 302, 201, 34 & 120B of the
Indian Penal Code and Section 27 of the Arms Act.

3. The allegation levelled by the informant is that
sometimes prior to the occurrence in question, three named
accused persons had threatened him to stop the construction
work. Shortly thereafter, the informant was informed that his
father was killed while he had gone to the market with his cart.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is not named in the FIR. During course of investigation, four persons have been made accused in this case including the petitioner. It is further stated that originally FIR has been lodged against three named accused persons who have been granted bail by different Co-ordinate Benches of this Court vide Annexure-2 series. It is also submitted that petitioner has been made accused in this case only on the basis of confessional statement of co-accused namely, Pawan Kumar @ Pawan Gareri. Except confessional statement no other cogent material is against the petitioner to implicate him in the present case. The said Pawan Kumar @ Pawan Gareri has been granted bail vide order dated 04.04.2025 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 8983 of 2025. Learned counsel further submitted that co-accused persons namely, Mukesh Paswan and Sunni Kumar have been granted bail vide order dated 12.06.2023 and 09.10.2023 passed by different Co-ordinate Benches of this Court in Criminal Miscellaneous No. 30350 of 2023 and Criminal Miscellaneous No. 63271 of 2023 respectively. Lastly, it has been submitted that the petitioner is in custody since 21.10.2024, he has five criminal cases against



him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- VI, Patna city in Chowk P.S. Case No. 123 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

