

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8841 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- BEERPUR District- Begusarai

Arbind Paswan @ Arvind Paswan Son of Late Khona Paswan @ Khona
Paswan Resident of Village- Saraunja, (Sarounja), Ward No. 01, P.S.- Birpur,
Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Birpur
P.S. Case No. 179 of 2024, dated 06-09-2024, instituted for the
offence punishable under Sections 191(2), 190, 115(2), 127(2),
103(1) of Bhartiya Nyaya Sanhita.

3. As per the prosecution case, the petitioner and
others assaulted two thieves who were alleged to have been
caught while stealing a goat.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. The First Information Report (FIR) has been
registered against nine named persons, including the petitioner,



along with 60-70 unknown persons. There is no specific allegation against the petitioner; rather, the accusation is general and omnibus in nature. It is further submitted that similarly situated co-accused persons, namely Sanjay Paswan, Purushottam Ray @ Purushottam Kumar, Raja Ram Paswan, Sandeep Kumar @ Sandeep Paswan, and Deepak Paswan @ Abhay Kumar have been granted bail by different co-ordinate Benches of this Court vide orders dated 07.03.2025, 15.04.2025, 02.05.2025 and 09.05.2025 passed in Cr. Misc. Nos. 11477 of 2025, 12245 of 2025, 88595 of 2024, 15511 of 2025, and 20055 of 2025, respectively. Lastly it has been submitted that the petitioner has been in judicial custody since 07.09.2024 and has three other criminal cases pending against him.

5. Learned APP for the State has opposed the prayer for bail

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 Judicial Magistrate-1st Class, Begusarai, in connection with Birpur P.S. Case No. 179 of 2024, subject to the following condition: (i) that the 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, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that 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 and (iv) that 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.

7. The application stands allowed.

(Khatim Reza, J)

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