

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14071 of 2025

Arising Out of PS. Case No.-35 Year-2023 Thana- MURLIGANJ District- Madhepura

1. Ramesh Paswan @ Ganesh Paswan S/o Late Mahendra Paswan R/o Village- Nagar Panchayat Murliganj Ward No.11, PS- Muliganj, Dist- Mahdepura
2. Nitish Kumar S/o Ramesh Paswan @ Ganesh Paswan R/o Village- Nagar Panchayat Murliganj Ward No.11, PS- Muliganj, Dist- Mahdepura
3. Vinod Paswan @ Vinod Kumar Paswan S/o Ramchandra Paswan R/o Village- Nagar Panchayat Murliganj Ward No.11, PS- Muliganj, Dist- Mahdepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-04-2025 Heard Mr. Sanjay Prasad, learned counsel for the petitioners and Mr. Raj Kishor Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Murliganj P.S. Case No. 35 of 2023, F.I.R. dated 28.01.2023 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 354B, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, due to some rumour, these petitioners along with other accused persons assaulted the informant and his sister-in-law (Bhabhi) due to



which they received injury.

4. Learned counsel for the petitioners submits that petitioner nos. 2 and 3 have clean antecedent and petitioner no. 1 carries one criminal antecedent other than the present one and they have falsely been implicated in the present case. He further submits that although the petitioners are named in the F.I.R but there is no specific allegation of assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that the co-accused, namely, Anil Kumar Paswan @ Anil Paswan against whom there is similar allegation has been granted bail by a Co-ordinate Bench of this Court vide order dated 05.10.2024 passed in Cr. Misc. No. 71641 of 2024.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioner nos. 2 and 3 have clean antecedent, there is no specific allegation against these petitioners and similarly situated co-accused person has been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioners, above named, in the event of arrest or surrender before the court below



within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge- 1st cum Special Judge SC/ST, Madhepura in connection with Murliganj P.S. Case No. 35 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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