

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18543 of 2025**

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

Birbal Paswan @ Birwal Paswan @ Virwal Paswan S/o Shri Chandeshwar
Paswan R/o Vill- Chulahari, P.S and Post- Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. 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**

2 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 had taken 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 two criminal antecedents and is in custody since 30.10.2024.

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.

7. The application stands allowed.

(Sourendra Pandey, J)

Jyoti/-

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

