

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14190 of 2025

Arising Out of PS. Case No.-194 Year-2022 Thana- GAYA MUFASIL District- Gaya

Mithilesh Kumar @ Falen Paswan S/o Raj Kumar Paswan R/o Mohalla -
Manpur Gandhi Nagar, P.S.- Muffasil, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 194 of 2022 instituted for the offences
under Sections 147, 148, 149, 341, 323, 324, 307, 427, 354, 379
of the Indian Penal Code.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is of assaulting the
Informant by means of lathi, danda and rod with an intention to
kill him due to which he sustained head injury and when his
family members came to rescue him, they were also assaulted.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to dirty village politics. He further submits that there is delay of ten days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation is against the co-accused Rakesh Paswan and Biku Paswan. Both the parties are co-villagers. In course of investigation, not a single independent witness has come forward to support the prosecution case. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 16.11.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused have already been granted bail by a Co-ordinate Bench of this Court vide orders 17.10.2023 and 18.12.2024 passed in Cr. Misc. Nos. 67146 of 2023 and 80210 of 2024 respectively and the case of the petitioner is on better footing.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 194 of 2022.

(Rudra Prakash Mishra, J)

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