

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16164 of 2025

Arising out of PS. Case No.-209 Year-2018 Thana- ALAMNAGAR District- Madhepura

Banti Paswan @ Banti Kumar Paswan, S/o Late Ravindra Paswan @ Late Pankaj Paswan, R/o Village- Khara, P.S- Udakishunganj (Bhudhma O.P), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 23-06-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Sections 302, 201 and 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act. He has no criminal antecedent.

3. The allegation as per the First Information Report is to the effect that son of the informant was called by the FIR named accused persons who were twelve in number and in order to pay him the money on account of purchase of some land, all the accused persons had killed the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on account of



personal rivalry and village politics. It is further submitted by learned counsel for the petitioner that admittedly the land dispute was with an accused namely Manish Mandal and the petitioner has no concern whatsoever with the said co-accused. It is also submitted by learned counsel for the petitioner that even during the course of investigation nothing has come to show the complicity of the petitioner with the alleged crime. It is next submitted by learned counsel for the petitioner that the similarly situated co-accused persons have been granted bail by Co-ordinate Benches of this Court and the order of the same has been brought on record by way of Annexure-P/2 series. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 23.12.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner is named in the FIR in a case where the son of the informant was killed as such he should not be granted liberty of bail.

6. Considering the aforesaid submissions of learned counsels for the parties and taking into account the materials on record specially the fact that similarly situated co-accused persons have been released on bail and also the fact that the



petitioner has no criminal antecedent and is in custody since 23.12.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate-1st Class, Udakishunganj, Madhepura in connection with Alamnagar (Ratwara) P.S. Case No. 209 of 2018, subject to the the following conditions:-

(i) One of the bailors will be a 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.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his crim-



inal antecedent, the court below shall take step
for cancellation of bail bond of the petitioner.
However, the acceptance of bail bonds in terms
of the above-mentioned order shall not be de-
layed for purpose of the same or in the name of
verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Vikash/-

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

