

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32939 of 2025

Arising Out of PS. Case No.-442 Year-2024 Thana- HISUWA District- Nawada

Lakshman Paswan @ Pokiya Son of Late Dwarik Paswan Resident of village
- Nayatola Sangatper, P.S.- Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate
For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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

ORAL ORDER

3 11-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Hisua
P.S. Case No. 442 of 2024 instituted for the offence under
Sections 310(2) of the Bharatiya Nyaya Sanhita (BNS).
Subsequently, Section 317(3) of the BNS and Sections 25(1-b)a,
26 & 35 of the Arms Act.

3. The allegation against the petitioner is of
committing dacoity along with other co-accused persons and
while committing so, looted bullet motorcycle of the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09-08-2024. Petitioner
bears sixteen (16) criminal antecedent/s, as per disclosure made



in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation on the basis of confessional statement of co-accused, namely, Goldi Singh. It is submitted that recovery of motorcycle is made from co-accused, Mehar Singh. No incriminating article has been recovered from the possession of the petitioner. Similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Court vide order dated 16-04-2025, passed in Cr. Misc. No. 81099 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, 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 Hisua P.S. Case No. 442 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) The petitioner shall not leave the territorial jurisdiction of the Court below without its prior permission.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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