

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31856 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Sunil Paswan son of Naresh Paswan Resident of village -Bhatandi PS
-Kajipur Dist -vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pranav Kumar, Advocate
	Mr. Rajeev Ranjan No. II, Advocate
For the Opposite Party/s :	Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 20-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 57 of 2025, registered for the
offence punishable under Section 140(3) of B.N.S. and
subsequently added under Sections 279, 125, 103(1), 238 and
3(5) of B.N.S. Petitioner has one criminal antecedent.

3. As per the prosecution case, the informant has
stated that on 19.01.2025 in the night, her son, namely Ajit
Kumar had gone out to take meal at the house of co-accused
Suresh Rai. On 21.01.2025, in the morning, she received a news
that his son was not there and despite hectic search of her son
along with the villagers, her son could not be traced.

4. The learned counsel for the petitioner submits that



the petitioner is innocent and has not committed any offence. It has further been submitted that there is no evidence to connect the petitioner with the aforesaid incident and barring the confessional statement of co-accused, namely Ankit Kumar and Kunal Kumar there is nothing on record to show the complicity of the petitioner in the present occurrence. Learned counsel has further submitted that even going by the so-called confessional statement of the petitioner, the same does not disclose that he was party to the killing of the deceased, namely, Ajit Kumar and also he was not the party in disposing of the body of the said deceased. The learned counsel has lastly submitted that during the course of investigation, nothing incriminating has been recovered from his possession. It has lastly been submitted that the petitioner though has one criminal case against his name he is in custody in the present case since 25.01.2025.

5. The learned A.P.P. for the State opposes the prayer for bail and has stated that there is confessional statement of co-accused persons who have stated about the petitioner to be involved in the said occurrence and moreover there is a confession of the petitioner accepting his guilt in the present case. The learned A.P.P. for the State also submits that the dead body of the son has not yet been recovered.



6. Considering the aforesaid submission made by the parties and taking into account that there is only suspicion raised against the petitioner and even taking the statement of the co-accused and the confession of the petitioner to be correct, it is evident that the allegation of disposing of the body of the deceased was on Rupesh Kumar, Suresh Rai and Ajay Rai, considering the same, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned C.J.M., Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 57 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the



bail bond of the petitioner will be liable to be cancelled 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 criminal 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 delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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