

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38295 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- GAYA KOTWALI District- Gaya

1. Upendra Paswan S/O- Ramanand Paswan R/O- Dom Toli Murlihill Bairaga Ps- Kotwali Dist- Gaya
2. Gaurav Paswan @ Gaurav Kumar S/O- Upendra Paswan R/O- Dom Toli Murlihill Bairaga Ps- Kotwali Dist- Gaya
3. Saurav Kumar @ Saurav Paswan S/O- Upendra Paswan R/O- Dom Toli Murlihill Bairaga Ps- Kotwali Dist- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Sharda Nand Mishra, Adv Mr. Deepak Kumar, Adv Mr. Dhandev Kumar, Adv Mr. Atul Kumar, Adv Mr. Sumit Kumar Gupta, Adv Mrs. Isha Mishra, Adv For the Opposite Party
	:	Mr.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Kotwali P.S. Case No. 85/2025 dated 19.02.2025 registered for the offence punishable u/s 191(2), 191(3), 190, 126(2), 115(2), 109, 324(4), 303(2), 352, 351(2) of the B.N.S. and Sections 25(1-B)(a), 26 and 27 of the Arms Act.

3. As per the prosecution case, the petitioners and the



co-accused persons holding weapons entered the house of the informant and started firing. Thereafter, they assaulted the informant's mother and brother from the butt of the pistol. Further, the petitioners and the co-accused persons looted Rs. 65,000/-, gold chain and other articles from the house of the informant. When the police reached at the place of occurrence, one *katta* and three empty cartridges and one live cartridge were recovered.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case on account of village politics. There is general and omnibus allegation against the petitioners. Nothing has been recovered from the possession of the petitioners. The other co-accused persons have already been granted bail by the Co-ordinate Bench *vide* order dated 04.06.2025 passed in Cr. Misc. No. 34705/2025. The petitioner no. 1 has four criminal antecedents whereas the petitioner no. 2 and 3 have three criminal antecedents as stated in para 3 of the bail petition. The petitioner no. 1 and 3 in custody since 19.02.2025 and the petitioner no. 2 is in custody since 24.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya, in connection with Kotwali P.S. Case No. 85/2025, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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