

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38626 of 2025**

Arising Out of PS. Case No.-51 Year-2014 Thana- KAJRA District- Lakhisarai

Bipin Saw S/o Sharvan Sah R/o vill - Kharia, P.S.- Kajra, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Bilochan, Adv

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 20-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with Kajra P.S Case No. 51 of 2014 registered for the offences punishable under Sections 147, 148, 341, 121, 121(A), 122, 123, 124(A), 120(B), 302 of the Indian Penal Code and 16, 18, 20, 23 of UAP Act and 27 of Arms Act.

3. As per allegation in the FIR, petitioner along with other co-accused persons had shot bullet fire to one Chaukidar Arjun Mandal who died for spying for police and naxalities.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that allegation against the petitioner is of general and omnibus. He further submits that petitioner neither belongs to



the naxalite group nor anyway concerned with the alleged offence. He further submits that there is no eye witness to the said occurrence and name of the petitioner has figured in this case only on mere suspicion and except this, there is no other cogent material against the petitioner. Charge-sheet has already been submitted. He further submits that petitioner is in custody since 28.11.2024 having five criminal antecedent. He further submits that co-accused persons namely Bhola Mahto and Jitendra Paswan has been granted bail vide Cr. Misc. No. 11020 of 2015 and 26562 of 2015.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, entire case diary and impugned order dated 28.03.2025, it appears that petitioner's name has been figured only on the basis of suspicion and except that there is no other cogent material available on record and other co-accused has already granted bail by the co-ordinate Bench of this Court, so, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner 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 learned S.D.J.M., Lakhisarai in connection with Kajra P.S. Case No. 51 of 2014 subject to condition that petitioner shall appear physically on each and every date fixed by the Trial Court till the conclusion of the Trial and if petitioner default his appearance, the Trial Court is at liberty to cancel the bail bond of the petitioner.

(Ramesh Chand Malviya, J)

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