

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38478 of 2025

Arising Out of PS. Case No.-311 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Munna Paswan Son of Anuj Paswan @ Anuja Paswan Resident of
Village - Belaur, Police Station - Buxar Industrial in the district of
Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with

Buxar Industrial P.S. Case No. 311 of 2024 registered for the

offences under Sections 329(4), 127(2), 115(2), 109, 3(5) of

the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and 27

of the Arms Act.

3. The accused/petitioner is named in the First

Information Report and is in custody since 07.03.2025.

4. Allegation against the petitioner is to open fire along

with other co-accused persons where one of the bullets hit to the

chest of one Harendra Bind.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that if the face of FIR be taken into consideration then only two persons be found injured during the occurrence i.e. son of the informant namely, Rakesh Bind and another is Harendra Bind, but during investigation, one Hiralal Bind was also found injured for which the FIR is completely silent, which makes the entire occurrence doubtful.

6. It is submitted that the thrust of allegation *qua* firing upon injured Harendra Bind is available specifically against co-accused Anup Paswan, whereas the allegation against the petitioner is very much general and omnibus without specifying any overt act, where informant is the eye witness of the occurrence and considering the same, similarly situated co-accused namely, Virendra Paswan was granted bail by one of the learned coordinate Bench of this court through Cr. Misc. No. 17039 of 2025 dated 11.04.2025.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the prayer



for bail of the petitioner.

9. Considering the facts and circumstances as mentioned above and by taking note of the fact as allegation *qua* assault is very much general and omnibus against the petitioner as the same is specific against the co-accused Anup Paswan, coupled with the fact that petitioner remains in custody since 07.03.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Buxar Industrial P.S. Case No. 311 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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