

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40758 of 2025

Arising Out of PS. Case No.-35 Year-2023 Thana- MURLIGANJ District- Madhepura

Ashok Paswan S/O Nathan Paswan Resident of village- Nagar Panchayat
Murliganj, ward no 11, PS- Murliganj, district- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
		Mr. Manoj Kumar, Advocate
		Ms. Pooja Prasad, Advocate
For the Opposite Party/s :		Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-07-2025 Heard Mr. Uday Chand Prasad, learned counsel
for the petitioner and Ms. Renuka Ratnakar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Murliganj P.S. Case No. 35 of 2023, F.I.R. dated 28.01.2023 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 354B, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including this petitioner have assaulted the informant and his sister-in-law (Bhabhi) by means of lathi.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the F.I.R but there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and



omnibus allegation against all the accused persons including this petitioner. He further submits that the similarly situated co-accused, namely, Anil Kumar Paswan @ Anil Paswan has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 05.10.2024 passed in Cr. Misc. No. 71641 of 2024 and another co-accused, namely, Ramesh Paswan @ Ganesh Paswan has been granted anticipatory bail by this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 14071 of 2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation against this petitioner and the similarly situated co-accused persons have been granted anticipatory bail, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned Judicial Magistrate 1st Class, Madhepura in connection with Murliganj P.S. Case No. 35 of 2023, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure /
Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and
with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

(Rajesh Kumar Verma, J)

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