

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38964 of 2025

Arising Out of PS. Case No.-11 Year-2007 Thana- KARPI District- Arwal

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Bhagawan Paswan S/O Jagdeo Paswan Resident Of Village- Imamganj, PS-
Paliganj, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 674 of 2024 arising out of Karpi P.S. Case No. 11 of 2007, registered for the offences under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, it is a case of misuse of privilege of bail.

4. Learned counsel for the petitioner submits that earlier the petitioner has been granted bail vide order dated 02.02.2010 passed in Cr. Misc. No. 1546 of 2010 by a learned Single Judge of this Court. Due to misuse of bail, the petitioner was taken into custody on 24.11.2024. Learned counsel further submits that the petitioner was out of State for earning his



livelihood and for this reason no proper *pairvi* could be made and the bail bond of the petitioner was cancelled by the learned trial court. There is no deliberate laches on the part of the petitioner to avoid trial. Learned counsel further submits that this is first instance of misuse of bail after grant of regular bail to the petitioner and the petitioner undertakes not to misuse this privilege in future and he will remain physically present before the learned trial court on each and every date fixed, till disposal of the case.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the undertaking of the petitioner coupled with his clean antecedent and period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I, Arwal/concerned court, in connection with Sessions Trial No. 674 of 2024 arising out of Karpi P.S. Case No. 11 of 2007, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain physically present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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