

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42103 of 2025

Arising Out of PS. Case No.-244 Year-2024 Thana- IMAMGANJ District- Gaya

Akhilesh Paswan @ Akhlesh Paswan @ Gora Paswan @ Chintu Paswan,
aged about 27 years, Male, Son of Jaidun Paswan, Resident of Village- Pindri,
P.S.- Hunterganj, District- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Imamganj P.S. Case No. 244 of 2024 instituted for the offences
punishable under Sections 309(4) of B.N.S. 2023.

3. As per allegation in the FIR, three unknown
miscreants, on gun point, took away the motorcycle of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He submits that except the confessional statement of
the co-accused Santan Kumar, there is no any specific allegation



against the petitioner. He next submits that nothing incriminating articles has been recovered from the conscious possession of the petitioner. He lastly submits that the petitioner is not put on Test Identification Parade and no case has been made out against him. Petitioner is in custody since 25.10.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned District and Additional Sessions Judge-II, Sherghati, Gaya dated 17.05.2025, it appears that petitioner is not named in the FIR and his name surfaced in this case only on the basis of confessional statement of co-accused namely Santan Kumar. From perusal of the records, it also appears that on the basis of written report of the informant namely Kumar Ajay Narayan Arora, FIR has been registered under Sections 309(4) of B.N.S. 2023 against three unknown persons. No incriminating articles has been recovered from the conscious possession of the petitioner and the alleged motorcycle has been recovered from the conscious possession of other co-accused and not the present petitioner. Petitioner is in custody since 25.10.2024 and there is no Test Identification Parade conducted till date. Chargesheet has already been submitted in this case, so considering all these aspects of the case, I am inclined to grant bail to the petitioner.



7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Judicial Magistrate, 1st Class, Sherghati at Gaya in connection with Imamganj P.S. Case No. 244 of 2024, subject to the condition that the petitioner shall present before the trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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