

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41534 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- KAMTAUL District- Darbhanga

Ujjawal Paswan, Son of Late Lalit Paswan Resident of Village- Sirhulli, P.S.-
Kamtaul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioner apprehends arrest in connection with Kamtaul P.S. Case No. 22 of 2025 dated 27.01.2025 instituted for the offence punishable under Sections 132, 109, 310(5), 310(4) of the Bhartiya Nyaya Sanhita, 2023 and Sections 25(1-B)a, 26, 27, 35 of the Arms Act.

3. The case of the prosecution, in short, is that police received information that certain miscreants are arriving with an intention to commit loot. It is further alleged that when the police reached at the place of occurrence, six persons on two bikes started fleeing away. When they were intercepted by the police, they started firing. In counter, police also fired. Three persons were caught, out of whom one of the accused had received gun shot injury.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner or from his house. The arms were recovered from the possession of co-accused Rohit Kumar. The petitioner has been made accused in this case only on the basis of confessional statement of Alok Paswan and Rohit Kumar. Lastly, it has been submitted that petitioner has two criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kamtaul P.S. Case No. 22 of 2025, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga subject to condition as laid down under Section 482(2) of the B.N.S.S., subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the framing of charge in this case.

(Khatim Reza, J)

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