

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42087 of 2025

Arising Out of PS. Case No.-382 Year-2024 Thana- SHERGHATI District- Gaya

Akhilesh Paswan @ Gora Paswan @ Chintu Paswan S/o Jaidum Paswan R/o
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

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-08-2025 Heard the parties..

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 382 of 2024 registered for the offences under Sections 309(6) of B.N.S.

3. The petitioner is named in the First Information Report and is in custody since 05.12.2024.

4. As per FIR, some unknown persons opened fire upon employee of the informant while he was dealing with official business and also looted cash of Rs. 42,000/-. It is alleged that miscreants, who were three in numbers, arrived at the place of occurrence on 25.07.2024 at about 11:15 a.m. through white colour Apache motorcycle bearing Registration No. BR02BR-1096.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that name of the petitioner transpired in the present case out of his confessional statement of co-accused Chhotu Chaudhary @ Dhananjay Chaudhary who has already been granted bail by this Court through Cr. Misc. No. 38344 of 2025 vide order dated 18.08.2025, in furtherance of which no incriminating material recovered/ surfaced during course of investigation as to connect petitioner prima-facie with present occurrence of robbery. It is submitted that petitioner was not put on TIP. It is pointed out as petitioner found involved in seven more criminal cases, which is one of the reason for suspicion *qua* petitioner to involve in the present case, also, without having any connecting material.

6. It is further submitted that if the merit of case otherwise appears in favour of petitioner, merely on the ground of criminal antecedents, bail of petitioner ordinarily should not be denied. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of U.P. and Another** reported in **(2020) 11 SCC 648**. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted



and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as *prima facie* implication of petitioner appears only on suspicion arising out of his self-confession and criminal antecedents, coupled with the fact that petitioner remains in custody since 05.12.2024, 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 A.C.J.M.-1st Sherghati, Gaya, in connection with Sherghati P.S. Case No. 382 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of B.N.S.S.

(Chandra Shekhar Jha, J)

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