

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44618 of 2025

Arising Out of PS. Case No.-414 Year-2019 Thana- SHAHPUR PATORI District- Samastipur

Akhilesh Kumar Paswan @ Bantha @ Kamlesh Paswan, Male, aged about 30 years, son of Mishri Lal Paswan @ Mishri Paswan, Resident of Village- Panapur Kayam, Po and PS- Biddupur, Dist- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Section 394 of the Indian Penal Code.

3. As per allegation in the FIR, the informant is an employee (cashier) of Midland Micro Finance Company and alleging that when the informant was working in his branch office, two persons took out pistols from their waist and put on the informant temples and asked about the cash and further threatened to immediately hand over the cash and the informant was assaulted on head by the butt of the pistol and thereafter he sustained injury.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next



submits that similarly situated two co-accused persons have already been granted bail by different Benches of this Court passed in Cr. Misc. Nos. 13104 of 2023 and 56720 of 2025. He next submits that petitioner is not named in the FIR, whereas the main allegation is against co-accused Surajveer @ Shoorveer and not against this petitioner and nothing has been recovered from the conscious possession of the petitioner nor he was seen at the place of occurrence as stated in para-10 of the petition. Petitioner is in judicial custody since 10.03.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the light of the aforesaid facts and submission of learned counsel for the petitioner as well as the fact that two similarly situated co-accused persons have already been granted bail by different Benches of this Court, so let the above named petitioner 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 Sri Abhishek Kumar, Judicial Magistrate, Ist Class, Samastipur/concerned Court in connection with Shahpur Patori @ Patori P.S. Case No. 414 of 2019, subject to the following conditions:-

(i) One of the bailors should be the close family



members/relative of the petitioner who shall provide official documents to show his/her bonafide.

(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason, will entail cancellation of his bail bond of the Trial Court itself.

(iii) The petitioner shall appear before the concerned police station on every fortnight for one year to make his attendance and the certificate shall be submitted before the Trial Court, failing which steps shall be taken for the cancellation of the bail bonds.

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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