

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58457 of 2025

Arising Out of PS. Case No.-240 Year-2015 Thana- CHARPOKHARI District- Bhojpur

Dina Nath Paswan S/o Dasrath Paswan R/o Village- Chandi, P.S.-
Charpokhari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Manoj Kumar Singh, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 323, 341, 302, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, it is alleged that on account of previous dispute, all the F.I.R. named accused persons, including this petitioner, armed with deadly weapons, assaulted son of informant and forcibly tried to take him away. It is further alleged that co-accused Munna Paswan took out a country made pistol and shot below chest of son of informant as a result of which, during course of treatment, son of informant died.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of firing is against co-accused Munna Paswan. So far as this petitioner is concerned, there are general and omnibus allegations and no specific accusation of overt act has been alleged against him. Similarly situated co-accused persons have already been granted bail by Co-ordinate Benches of this Hon'ble Court vide order dated 16.04.2019 passed in Cr. Misc. No. 24490 of 2019 and order dated 11.10.2022 passed in Cr. Misc. No. 70850 of 2021. Moreover, charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 11.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, period of custody and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, 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 learned Additional Sessions Judge-VIIIth,
Bhojpur at Ara in connection with Charpokhari P.S. Case No.
240 of 2015.

(Prabhat Kumar Singh, J)

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