

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49415 of 2025

Arising Out of PS. Case No.-554 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Nirmal kumar S/o Parmanand Paswan @ Paramananda Pasavan R/o vill -
Patam, P.S.- Ramnagar, Distt.- Munger (Bihar), At present R/o vill - Police
Center, Bettiah, P.s.- Bettiah Town, distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 13-10-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. Earlier, anticipatory bail of the petitioner was
rejected by a Co-ordinate Bench of this Court vide order dated
08.05.2025 passed in Cr. Misc. No. 88711 of 2024.

3. The petitioner seeks bail in connection with
Motihari Town P.S. Case No. 554 of 2024, instituted for the
offences punishable under Section 316(5) of the Bharatiya
Nyaya Sanhita, 2023.

4. The prosecution case, in short, is that the petitioner
surrendered only one of the issued arms and fraudulently
obtained NOC.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has been falsely implicated in this case on false and baseless allegation arising from administrative lapses and internal departmental miscommunication. It is further submitted that the petitioner has already surrendered his all guns and cartridges and has also obtained “No dues”, but due to misunderstanding, he has been implicated in this case. The petitioner is in custody since 13.05.2025 and has got no criminal antecedent.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Motihari Town P.S.
Case No. 554 of 2024.

Rajorshi/-

(Rudra Prakash Mishra, J)

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