

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59609 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- Patarghat District- Saharsa

Mithilesh Paswan @ Mithlesh Paswan @ Mithles Paswan S/o Anil Paswan
Resident Of Village- Bhaddi, PS- Patarghat, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Patarghat P.S. Case No. 37 of 2024 dated 01.04.2024 registered for the offences punishable u/ss 341, 323, 307, 504, 506 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the other co-accused persons came to the shop of the informant's husband and the co-accused, Alia Miyan fired upon him and the shot hit him in his right hand. On instigation of the petitioner, Mithilesh Paswan, another co-accused shot at the husband of the informant at his abdomen. When the petitioner asked the co-



accused, Ajay Paswan to open fire, he did not shoot saying that the victim was already dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 30.03.2024 but the F.I.R. was lodged on 01.04.2024 and there is no explanation for this delay. There is no specific allegation against the petitioner rather the allegation against the petitioner is of instigating the co-accused persons to fire. Nothing has been recovered from the conscious possession of the petitioner. As per the impugned order, the nature of injury is simple caused by firearm. The charge-sheet has been submitted against the petitioner. The co-accused person has already been granted bail by a Coordinate Bench of this court vide order dated 03.10.2024 passed in Cr. Misc. No. 70876/2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Patarghat P.S. Case No. 37 of 2024, with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

