

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54866 of 2025

Arising Out of PS. Case No.-33 Year-2024 Thana- KHAGAUL District- Patna

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1. Nagendra Paswan S/o Ram Chandra Paswan R/o Village- Nayanchak, PS- Khagaul, Distt.- Patna
 2. Niraj Kumar S/o Nagendra Paswan R/o Village- Nayanchak, PS- Khagaul, Distt.- Patna
 3. Kakku Paswan @ Kukku @ Umashankar Paswan S/o Sabudhan Paswan @ Tinku Paswan R/o Village- Nayanchak, PS- Khagaul, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Prasad Singh, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 08.02.2024 at about 9:30 PM, while brother of informant, namely Bhanu Paswan, was coming home from market, in the meantime, all the accused persons named in the F.I.R., including these petitioners, caught and shot him. After the occurrence, brother of informant was brought to Paras Hospital where doctor



declared him dead. It is further alleged that earlier also, accused persons had assaulted brother of informant and threatened to kill him.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Informant is not an eye witness of the alleged occurrence and petitioners have falsely been implicated in this case only on suspicion. It is further submitted that informant has not disclosed the source of information as to how he came to know that these petitioners have committed the alleged occurrence. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Court *vide* order dated 19.03.2025 passed in Cr. Misc. No. 83665 of 2024. Petitioners claim clean antecedents.

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

6. Considering the aforesaid facts and circumstances, general and omnibus nature of accusation, clean antecedents and the fact that similarly situated persons have already been granted anticipatory bail, the prayer for grant of anticipatory bail to the petitioners is allowed. Accordingly, in the event of



arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- V, Danapur in connection with Khagaul P.S. Case No. 33 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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