

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59142 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- AKHODHIGOLA District- Rohtas

Rajendra Paswan S/o Late Dhanraj Paswan R/o Village- Mahuwari, P.S.-
Akorigola, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sadanand Roy, Advocate
For the Opposite Party/s	:	Mr. Nityanand Tiwary, APP
For the Informant	:	Mr. Vikalp, Advocate

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

ORAL ORDER

4 31-10-2025 Heard Mr. Sadanand Roy, learned counsel for the petitioner and Mr. Nityanand Tiwary, learned APP for the State as also Mr. Vikalp, learned counsel for the informant. Perused the case diary.

2. The petitioner seeks bail in connection with Akorigola P.S. Case No. 30 of 2025 instituted for the offences under Sections 137(2), 140(2), 140(1), 352, 351(3) & 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the informant's son got kidnapped from his house while the *Swaraswati Puja* Procession was passing through his house. It is further alleged that the informant's son and daughter of Anil Paswan were having love affair. When the Informant enquired about his son



from Anil Paswan then he was threatened with dire consequences with regard to his son by the F.I.R. named accused persons. It is further alleged that, later on, the dead body of the deceased was recovered by the police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner is not named in the F.I.R. and his name has surfaced in this case in course of investigation on the basis of confessional statement of the co-accused JK @ Chandan Paswan recorded before the police which has no evidentiary value in the eye of law. He further submits that except suspicion, there is nothing adverse against the petitioner in the entire record of the case. The petitioner has no criminal antecedent and are languishing in judicial custody since 06.03.2025 without any rhymes or reason. Other co-accused has been granted bail by this Court vide order dated 01.09.2025, passed in Cr. Misc. No. 28188 of 2025.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of



bail to the petitioner, stating that the offence alleged is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also there being no specific allegation against the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Akorigola P.S. Case No. 30 of 2025, subject to the following conditions:

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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