

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57820 of 2025

Arising Out of PS. Case No.-278 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Sawan Paswan, S/o Babulal Paswan, R/o Village- Kolhua, Paigamberpur,
Near Nativ Land School, Police Station- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-08-2025 Heard learned counsel for petitioner and learned
counsel for the State.

2. This is the second bail application preferred by the petitioner in view of the liberty granted to the petitioner to renew his prayer for bail once the charges are framed as contained in order dated 07.05.2025 passed in Cr. Misc. No. 87884 of 2024.

3. Petitioner, who is in custody, seeks bail in connection with Sessions Trial No. 479 of 2025, arising out of Ahiyapur P.S. Case No. 278 of 2023 registered for the offences punishable under Sections 341, 323, 307 and 379/34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the other co-accused persons had assaulted the son of the informant,



namely, Kunal, due to which he sustained grievous head injury, thereafter, he was taken to Maa Janki Hospital, Muzaffarpur for the C.T. Scan, from where the doctor has referred to Karan Neuro Maternity Hospital, Muzaffarpur for his better treatment.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that no specific overt act is attributed against the petitioner. It is lastly submitted that the petitioner has clean criminal antecedent and is in custody since 06.08.2024.

6. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the injured person himself has named the petitioner to be one of the assailants, hence, he does not deserve the liberty of bail.

7. Considering the aforesaid submissions, fact and circumstances of the case and looking at the period of custody of the petitioner, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sessions Trial No. 479 of 2025, arising out of Ahiyapur P.S. Case No. 278 of 2023, subject to the



following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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