

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59692 of 2025

Arising Out of PS. Case No.-405 Year-2023 Thana- KESARIA District- East Champaran

Baidhnath Paswan S/O Late Mahadeo Paswan Resident of Village- Kanhauli
Khadi Bhandar, P.S.- Mthanpura, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv
For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2025 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 Keshariya P.S. Case No. 405/2023 dated 09.08.2023 registered for the offence punishable u/s 302, 120B read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the son of the informant, namely, Mukesh Kumar Diwedi @ Munna Diwedi was going to Registrar Office, in the way, in village-Rajpur Jirat someone committed murder of the informant's son by shooting him. When the informant's came to his house, he came to know that the petitioner and the co-accused persons along with Ayush



Kumar and other associates have committed murder of the informant's son under conspiracy.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Ayush Kumar Dubey. The other co-accused person has already been granted bail by the Co-ordinate Bench of this court *vide* order dated 05.03.2024 passed in Cr. Misc. No. 81224/2023. The co-accused, Ayush Kumar Dubey in his confessional statement has stated that he fired upon Munna Dubey which hit his *panjra* and he again fired three rounds upon Munna Dubey's temple and head due to which he died. The petitioner has three antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 06.12.2024.

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, East Champaran, Motihari in connection with Keshariya P.S. Case No. 405/2023, 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)

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