

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61563 of 2025

Arising Out of PS. Case No.-181 Year-2024 Thana- PUNAURA District- Sitamarhi

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Pappu Paswan @ Pappu Kumar, aged about 31 years, Gender-male, Son of Naganarayan Paswan, Resident of Village - Ranjitpur, P. S. - Punaura, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-09-2025 Heard Mr. Virendra Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Rajendra Nath Jha,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Punaura P.S. Case No. 181 of 2024 registered for the offence punishable under Sections 310(4), 310(5), 317(5) of the B.N.S. and Sections 26, 27 and 35 of the Arms Act.

3. As per the allegation made in the F.I.R., the informant, who is the police officer, got secret information that some miscreants had assembled to commit crime. A raid was conducted and two persons were arrested, who disclosed the name of the petitioner. Recovery of arms was made from arrested persons.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner was not present at the place of occurrence. Name of the petitioner has transpired on the basis of confessional statement made by co-accused, namely, Dharmendra Yadav and Santosh Baitha, who were apprehended on the spot and the same has no evidentiary value in the eye of law. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired on the basis of confessional statement made by co-accused, namely, Dharmendra Yadav and Santosh Baitha, who were apprehended on the spot and the same has no evidentiary value in the eye of law. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of



four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi/ court concerned, in connection with Punaura P.S. Case No. 181 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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