

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64865 of 2025

Arising Out of PS. Case No.-91 Year-2012 Thana- PARAIYA District- Gaya

Mahendra Paswan S/o- Late Chunni Paswan Village- Kamaldah, Police
Station- Paraiya, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Paraiya P.S. Case No. 91 of 2012 registered for the alleged offences under Section 414 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

3. As per prosecution case, police conducted a raid in order to apprehend the petitioner and a number of co-accused persons, who were wanted accused in different cases. A number of incriminating articles were seized during the raid conducted by the police and from the house of the petitioner, recovery of a country made pistol apart from a number of ornaments and other articles were made.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no involvement in the present case in any manner. Even the recovery from the petitioner is stated to be a country made pistol without any cartridge and other articles are household articles. Learned counsel further submits that the co-accused persons, from whom recoveries were made, have been granted bail by different Co-ordinate Benches vide orders dated 09.10.2023 and 18.04.2014 passed in Cr. Misc. Nos. 39768 of 2013 and 8739 of 2014, respectively. Learned counsel further submits that the alleged recovery is suspicious as the petitioner and his own brother are accused in the present case, who lived in a joint house, but different seizure have been prepared showing two different time. The petitioner is in custody since 13.04.2025 and charge sheet has been submitted. The petitioner is having antecedent of two cases.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the name of the petitioner transpired in this case after the raid conducted and a number of stolen articles and firearms were recovered.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Gaya/concerned Court in connection with Paraiya P.S. Case No. 91 of 2012, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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