

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67138 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- DURGAWATI District- Kaimur (Bhabua)

Arman Alam @ Badhu son of Jhunnu Rai Resident Of Village - Khajaura P.s.-
Durgawati District- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Session
Trial No. 228 of 2025, arising out of Durgawati P.S. Case No.
150 of 2025, for the offences punishable under Sections 109,
103, 3(5) of the B.N.S. but later on section 61 of the B.N.S. and
section 25(1-b)A, 26, 27 of the Arms Act.

3. As per prosecution case, when informant reached at
Khajura Market, he found the dead body of his son and Krishna
Paswan was found in injured condition. Upon query, Rishikesh
Paswan disclosed that in a white colour car, five co-accused
namely, Md. Danish, Md. Nehal, Santosh Kumar, Afroz and
Saheb Paswan came at the place of occurrence and stopped the
motorcycle. It is alleged that co-accused Md. Nehal is said to



have fired which hit the Tarkeshwar Paswan as a result of which he fell down and rest people started firing indiscriminately. When Krishna Paswan came to save Tarkeshwar Paswan, Krishna Paswan also sustained injury in the hand and leg.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated in this case. Petitioner is not named in the F.I.R. During course of investigation, the name of the petitioner has been surfaced in this case upon the confessional statement of co-accused namely, Md. Afroj. Except confessional statement of the said co-accused, there is nothing to connect the present petitioner with the alleged occurrence. Petitioner bears criminal antecedent of two cases which are not of similar nature and petitioner is on bail on the said cases. Petitioner is in custody since 13.05.2025. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. No incriminating article has been recovered from the conscious possession of the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, period of custody, petitioner is not named in the F.I.R.,



charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Session Judge-III, Kaimur at Bhabua, in connection with Session Trial No. 228 of 2025, arising out of Durgawati P.S. Case No. 150 of 2025, subject to the following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial Court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

Ranjeet/-

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