

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70690 of 2025

Arising Out of PS. Case No.-419 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Sonu Paswan @ Mithilesh Paswan Son of Shyam Paswan @ Shyam Pasawan
Resident of Village - Keota Piparpati, P.S. - Dalsinghsarai, District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 302, 34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The allegation in the First Information Report is
that the father of the informant was shot upon by two persons
who had come on motorcycle at his poultry farm due to which
he sustained three firearm injury.

4. Learned counsel for the petitioner has submitted
that it would be apparent from the First Information Report
itself that a dispute had taken place on a petty issue of selling of
chicken and that too with some unknown miscreants and the



name of the petitioner transpired during course of investigation in the confessional statements of co-accused Birbal Kumar, Gopal Kumar Choudhary and Vikram Kumar. It is further submitted that all the three accused persons upon whose confessional statement the name of the petitioner has transpired have been granted bail by a coordinate Bench of this Court vide order dated 21.04.2025 passed in Cr. Misc. No.89119/2024, vide order dated 29.11.2024 passed in Cr. Misc. No. 65490/2024 and vide order dated 23.09.2024 passed in Cr. Misc. No. 50907/2024. It has also been pointed out that petitioner is in custody since 21.05.2025 and charge-sheet has been submitted.

5. Learned APP for the State vehemently opposes the grant of bail of the petitioner and submits that petitioner has several criminal antecedents.

6. However, in response it has been submitted that the petitioner is on bail in all the cases and co-accused Gopal Kumar Choudhary who has been granted bail by coordinate Bench of this Court also had criminal antecedent.

7. Taking into consideration the facts and circumstances of the case and also considering the fact that there is no direct evidence to connect the petitioner to the alleged offence but for confessional statements of co-accused persons



having no evidentiary value and also considering that charge-sheet has been submitted, the above named petitioner is directed to be enlarged on bail on 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 Dalsingsarai P.S. Case No. 419 of 2023, subject to the following conditions:-

(i). One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall cooperate in getting the charges framed and would appear before the learned trial court on each and every date physically and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

Ranjeet/-

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