

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74994 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- TANKUPPA District- Gaya

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Dinesh Paswan S/o Late Mohan Paswan R/o Village - Parsawan, P.S -
Tankuppa, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Yadav, Advocate
For the Informant	:	Mr. Sudhir Kumar Sinha, Advocate
For the State	:	Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Sunil Kumar Yadav, learned counsel for

the petitioner, Mr. Sudhir Kumar Sinha , learned counsel for the

Informant and Mr. Md. Matloob Rab, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Tankuppa P.S. Case No. 95 of 2025, F.I.R.
dated 05.05.2025 registered for the offences punishable under
Sections 191(2), 190, 126(2), 115(1), 118(1), 109, 352, 351(2),
303(2) of the B.N.S. and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on
04.05.2025 at about 5:00 P.M. while the informant was
performing Puja for his son's marriage, petitioner along with
other co-accused persons blocked his way and started abusing
and beating him. Accused Dinesh Paswan started firing with a



pistol in his hand and asked him to stop the marriage ceremony at his house regarding a previous dispute. Accused persons have snatched the golden chain of his son and his wife's earring.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. It appears from the F.I.R. itself that due to some previous dispute, the petitioner has been falsely implicated in the present case. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and the allegation is that he has done indiscriminate firing but not a single person injured due to firing. The F.I.R. is in two parts, in first part, there is general and omnibus allegation against the petitioner and in second part, there is allegation against the petitioner that he has fired but no one has received firearm injury. Learned counsel for the petitioner submits that the second part is ornamental only to falsely implicate the petitioner in the present case.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the



case and the fact that the petitioner having clean antecedent and no firearm injury received by any person, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Tankuppa P.S. Case No. 95 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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