

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75097 of 2025

Arising Out of PS. Case No.-351 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Nandan Paswan @ Rohit Paswan S/o- Ajay Paswan R/o Village- Chaukipur
(Paswan Chowk), PS-Udwanthnagar (Gajrajganj O.P.) District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary, Advocate
For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Bibhakar Tiwary, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Udwanthnagar P.S. Case No. 351 of 2025, F.I.R. dated 07.07.2025 registered for the offences punishable under Sections 115(2)/126(2)/109/352/118(2)/3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Allegation against the petitioner is of committing assault and abusing to the informant.

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. that due to some petty dispute, the present occurrence had taken place.



Although the petitioner is named in the F.I.R. but there is no specific allegation of any assault or overt act or firing attributed against the petitioner and there is specific allegation of firing is against co-accused person, namely, Ravi Ranjan and petitioner was only accompanied with the other co-accused person.

5. Learned APP for the State has 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 there is no specific allegation of any assault or overt act or firing attributed against the petitioner, 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwanthnagar P.S. Case No. 351 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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