

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74209 of 2025

Arising Out of PS. Case No.-428 Year-2025 Thana- BIHAR District- Nalanda

Karu Paswan S/O Ramugar Paswan R/O Mohalla- Khandakpar, P.S.- Bihar,
Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bihar
P.S. Case No. 428/2025 registered for the offences punishable
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, on 12.07.2025 the informant
got information from his officer-in-charge that a video surfaced on
social media showing a person waving pistol in both of his hands
and same has been identified by one reliable person who told that
the name of the person as Karu Paswan (petitioner). Thereafter, on
12.07.2025 Sanha No. 629 registered and for confirmation the
informant along with police team reached near the house of the
Karu Paswan and surrounded his house and at the behest of
present petitioner one country made pistol was recovered from the
house of co-accused Chandan Kumar.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in FIR. No incriminating article has been recovered from the possession of the petitioner or his house. He further submits that the said recovery was made from the house of co-accused Chandan Kumar and the petitioner cannot be held liable for the same. The petitioner is languishing in custody since 13.07.2025 and bears five criminal antecedents and in all cases he is on bail. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submitted that the petitioner is FIR named accused and at the behest of present petitioner one country made pistol was recovered from the house of co-accused Chandan Kumar and hence, the petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 428/2025, subject to 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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