

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86077 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Mukesh Paswan S/o Ramgulam Paswan Resident of village- Shikarganj, ward
no 08, P.s.- chiraiya shikarganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Pakridayal P.S. Case No. 10 of 2024 dated 10.01.2024 registered for the offences punishable under sections 399 & 402 of the Indian Penal Code and u/ss 25(1-B)(a)/26/35 of the Arms Act.

3. As per the prosecution case, the petitioner and some miscreants riding on two motorcycles were gathered to commit a crime. On seeing police, four accused persons fled away and one person was apprehended from the place of occurrence. One country made pistol loaded with four cartridges and two mobile phones were recovered from the possession of the co-accused person.

4. Learned counsel for the petitioner has submitted that the



petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused, Md. Osaid Alam who has already been granted regular bail by this court vide order dated 14.05.2024 passed in Cr. Misc. No. 34330/2024. Nothing has been recovered from the conscious possession of the petitioner. There is no specific overt act against the petitioner. The petitioner has no concern with the alleged arms. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Motihari, East Champaran in connection with Pakridayal P.S. Case No. 10 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates



*without reasonable cause, the bail bond of
the petitioner is liable to be cancelled.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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