

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82785 of 2025

Arising Out of PS. Case No.-160 Year-2013 Thana- NAWANAGAR District- Buxar

Niji Paswan Son of Bimal Dusadh @ Bimal Paswan, Resident of village
-Giridhar , Baraon, PS- Nawanagar, Dist- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with STR No. 351 of 2013, arising out of Nawanagar P.S. Case No. 160 of 2013 dated 08.07.2013, registered for the offences punishable under Sections 341, 323, 337, 307, 379 and 504 read with Section 34 of the Indian Penal Code.

3. This is a case of misuse of privilege of bail. From the record it transpires that petitioner was granted bail by learned Sessions Court 16.11.2013. Thereafter, due to non-appearance of the petitioner his bail bond was cancelled on 08.08.2019. The petitioner surrendered on 01.04.2023 and he was again released on 18.04.2023 with a warning not to misuse this privilege. It further transpires that the petitioner again



misused the privilege and remained absent from the Court proceeding from 16.11.2024. Thereafter, his bail bond was cancelled on 08.07.2025.

4. Learned counsel for the petitioner submits that the petitioner undertakes not to misuse this privilege in future and would remain present before the learned trial Court on each and every date till the disposal of the trial. He further submits that petitioner is a poor person and for earning his livelihood, he used to go to Delhi and work there. The petitioner has no criminal antecedent and he is in custody since 30.10.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner and submits that the petitioner appears to be a habitual offender.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his undertaking, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Buxar / concerned Court, in connection with **STR No. 351 of 2013, arising out of Nawanagar P.S. Case No. 160 of 2013**, subject



to the condition laid down under Section 480(3) of the B.N.S.S.
and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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