

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90150 of 2024

Arising Out of PS. Case No.-56 Year-2003 Thana- SONBERSHA RAJ District- Saharsa

Mani Paswan @ Manikant Paswan S/o Late Mahendra Paswan R/o vill -
Sukhasani, P.S. - Udakishunganj, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 19-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 244 of 2024, arising out of Sonbarsa Raj (Kashnagar O.P.) P.S. Case No. 56 of 2003 registered for the alleged offences under Sections 307/34. of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner and co-accused persons along with 6-7 miscreants opened fire in order to terrorize the villagers and stop them from grazing their cattle

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR has been lodged on fardbeyan of the local chaukidar in the year 2003. Till the lodging of the FIR the



petitioner is having clean antecedent and thereafter, he has been made accused in 15 cases. No person from village came forward before the police to lodge case and as the chaukidar was inimical to the petitioner, he falsely implicated the petitioner in this case. No sign of firing was found at the place of occurrence. The petitioner was not even aware about his implication in the present case and he had been living outside of State to earn his livelihood and during this period, proceeding under Sections 82 and 83 Cr.P.C. has also been initiated. However, after arrest of the petitioner on 27.07.2024, charges have been framed on 07.08.2024. The petitioner undertakes to remain present before the learned trial court on each and every date fixed and further undertakes not to hamper the trial.

5. Learned APP vehemently oppose the submission made on behalf of the petitioner. Learned APP submits that the petitioner appears to be a habitual offender and altogether 15 cases have been lodged against him from the year 2003 to 2023.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the framing of charge and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Saharsa/concerned Court in connection with Sessions Trial No. 244 of 2024, arising out of Sonbarsa Raj (Kashnagar) P.S. Case No. 56 of 2003, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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.
- (iii) In case of absence on two consecutive dates 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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