

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3907 of 2025

Arising Out of PS. Case No.-273 Year-2024 Thana- ARA NAGAR District- Bhojpur

Shiv Janam Paswan @ Shivjanam Paswan @ Chilam Paswan S/o- Late Jaj
Paswan @ Jaj Ram Resident of Village - Gausganj, Police Station - Ara
Town, District - Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Utsav Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-02-2025 Heard Mr. Utsav Kumar, learned counsel for the
petitioner and Mr. Syed Ehteshamuddin, learned APP for the
State.

2. The petitioner is apprehending his arrest in
connection with Ara Town P.S. Case No. 273 of 2024, F.I.R. dated
30.04.2024 registered for the offences punishable under Sections
307 and 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. Allegation against the petitioner is that he along
with other co-accused persons arrived on two motorcycles and
started knocking the door of the informant and also resorted
firing and upon being confronted, all of them fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named



in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person namely Praduman Mahto and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances of the case and the name of the petitioner has been transpired during investigation on the basis of disclosure made by co-accused person and except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence, 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 Ara Town P.S. Case No. 273 of 2024, 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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