

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11741 of 2026

Arising Out of PS. Case No.-245 Year-2020 Thana- BARACHATTI District- Gaya

Vijay Paswan Son of Lakhan Paswan Resident of Village - Charakhari Tola,
Tinanwa, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Barachatti (Mohanpur) P.S. Case No. 245 of 2020 dated 04.05.2020 registered for the offences punishable under Sections 342, 323, 325, 365, 452, 307, 379, 354 and 34 of the Indian Penal Code.

3. The allegation in the F.I.R. is that the named accused persons had forcibly abducted the father of the informant and thereafter, three persons brutally assaulted the father of the informant and ran away. It has further been alleged that one of the persons while fleeing was apprehended who disclosed his name as Sanjay Paswan and he disclosed the name of two other persons namely, Vijay Paswan, Son of Ramji



Paswan and one Kameshwar Paswan.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he was not even aware of any such case being lodged against him. It has further been submitted that admittedly, as per the F.I.R., the name of the accused, Vijay Paswan, son of Ramji Paswan while the petitioner's name is Vijay Paswan however, his father name is Lakhan Paswan. It has further been submitted that the case was lodged in the year 2020 however, the petitioner got the knowledge about it in the year 2024 when the police came looking for him. It has further been submitted that the petitioner has no concern whatsoever with the said incident, the informant and others. It has further been submitted that the petitioner has clean antecedent and he has unnecessarily being dragged in the present case only on account of confusion of father's name.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs.



10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Barachatti (Mohanpur) P.S. Case No. 245 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) It is directed that the bail bond of the petitioner shall be accepted only after verification of the Aadhar Card and other documents relating to the parentage of the petitioner along with the other conditions.

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

(iii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iv) 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.

(v) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court



shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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