

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11268 of 2026

Arising Out of PS. Case No.-33 Year-2021 Thana- WAJIRGANJ District- Gaya

Uday Paswan @ Saurav Kumar S/O Ram Vilash Paswan R/O Vill.- Naudiha
Khurd, P.S.- Wazirganj, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Adv.
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 01-04-2026 Heard counsel for the petitioner and Additional Public
Prosecutor, representing the State.

2. The petitioner is apprehending his arrest in connection with Wazirganj P.S. Case No. 33 of 2021 dated 18.01.2021 registered for the offence punishable under Section/s 395 and 397 of the Indian Penal Code.

3. As per the prosecution case, on the night of 17.01.2021, 4-5 armed persons forcibly entered into the Informant's house, assaulted him with a sword causing injury to his leg, and also injured his nephew, Roshan Kumar, on the head. It is also alleged that the accused persons also looted sewing machines, an LCD TV, a laptop, mobile phones, gold



jewellery, and Rs. 7,000/- in cash from his house and fled away after villagers gathered.

4. Counsel for the petitioner submits that the F.I.R. is registered against 4-5 unknown accused, while the name of the petitioner has transpired in this case on the basis of the confessional statement of the Tuntun Mandal and Kameshwar Manjhi. It is next submitted that nothing is said to be recovered from the constructive possession of the petitioner. Counsel for the petitioner further submits that the petitioner has altogether four criminal antecedents out of which in two of them i.e. Wazirganj P.S. Case No. 239 of 2017 and Wazirganj P.S. Case No. 574 of 2020, he has been acquitted by the learned court below whereas in the rest two cases, he is on bail.

5. Learned Additional Public Prosecution opposes the prayer for anticipatory bail of the petitioner but, is not in a position to dispute the factual position, which is said to have been stated in this anticipatory bail petition.

6. Having heard learned counsel for the petitioner and considering the fact that nothing incriminating is alleged to have been recovered from the constructive possession of the petitioner and, as also, the fact that the name of the petitioner has transpired in this case on the basis of the confessional



statement of the witnesses Tuntun Mandal and Kameshwar Manjhi, let the petitioner, above named, be released on anticipatory bail in the event of his 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 learned Additional Chief Judicial Magistrate-1st, Gaya in connection with Wazirganj P.S. Case No. 33 of 2021, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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