

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15347 of 2026

Arising Out of PS. Case No.-367 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Sanjay Paswan @ Tewra Son of Suresh Paswan R/O Village- Dighi Kala
West, Gop Tola, Ward No. 03, P.S- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 367 of 2024, instituted for the offences punishable under Sections 399, 402 and 412 of the Indian Penal Code read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that on secret information regarding assembly of anti-social elements, police conducted raid and apprehended four accused persons including the petitioner. On search, two country made pistols and seven live cartridges have been recovered from the possession of other co-accused persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by other co-accused persons and the same has got no evidentiary value. It is next submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 19.04.2025 and has got ten criminal antecedents. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 01.09.2025 passed in Cr. Misc. No. 86782 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail *after framing of charge, if not already framed*, on furnishing bail bonds of



Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hajipur Sadar P.S. Case No. 367 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

(V) The petitioner shall not leave the territorial jurisdiction of the learned Court below without taking prior permission of the Court concerned.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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