

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24152 of 2026

Arising Out of PS. Case No.-490 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Mohan Paswan S/o Raju Paswan R/o Village- Loknathpur, Belbanna, ward
no. 24, PS- Dalsigsarai, , Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Surya Narayan Roy, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 448, 341, 323,
307, 302, 379 and 354 of the Indian Penal Code and and Section
27 of the Arms Act.

3. Earlier, the prayer for grant of the petitioner was
rejected vide order dated 08.08.2025 passed in *Cr. Misc. No.*
41962 of 2025.

4. As per prosecution case, on the alleged date and
time of occurrence, on the orders of co-accused Arvind Jha, this
petitioner, along with co-accused Avinash Jha, Sushil Rai and
Rajnish Jha, who were having country made pistols, fired upon



son of informant as a result of which, son of informant, namely Govind Yadav, died on the spot whereas one Krishnamurthy Rai sustained fire arm injuries.

5. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. As per F.I.R., all four F.I.R. named accused persons, including this petitioner, are alleged to have fired, however, only two fire arm injuries were found on the person of the deceased, which itself falsifies the entire prosecution case. It is further submitted that the present F.I.R. has been lodged after *post mortem* of the deceased. Co-accused Sushil Rai and Rajnish Jha, who are having similar and identical allegations, have already been granted bail by this Hon'ble Court vide order dated 31.10.2025 passed in *Cr. Misc. No. 36917 of 2025* and order dated 19.12.2025 passed in *Cr. Misc. No. 54173 of 2025*. Moreover, charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 12.08.2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the facts and circumstances of the case, claim based on parity, clean antecedents of the petitioner



and period of custody, the prayer for grant bail of to the petitioner is allowed.

8. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Dalsingsarai, District- Samastipur in connection with Dalsingsarai P.S. Case No. 490 of 2023.

(Prabhat Kumar Singh, J)

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