

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31819 of 2026

Arising Out of PS. Case No.-491 Year-2025 Thana- GAYA KOTWALI District- Gaya

Akash Paswan @ Akash Kumar Son of Parmanand Paswan @ Sadhu Paswan
Resident of Village - Murli Hill Bairagi, Police Station - Gaya Kotwali,
District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar, Advocate Mr. Gajendra Kumar Singh, Advocate Mr. Aryan Singh, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP
For the Informant	:	Mr. Sharda Nand Mishra, Advocate Mr. Deepak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel appearing on behalf
of the informant.

02. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 162 of 2026, arising out of Gaya Kotwali P.S. Case No. 491 of 2025 registered for the alleged offences under Sections 103(1), 61(2), 3(5) of BNS and Section 27 of the Arms Act.

03. As per prosecution case, the son of the informant was shot dead and the informant named two co-accused persons along with 3-4 unknown, who shot his son dead. Thereafter, the informant named the petitioner and altogether 12 other co-



accused persons for being involved in conspiracy for murder of his son in the background of earlier dispute.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and this fact is apparent from the FIR. The informant has named altogether 13 persons for being involved in conspiracy for murder of his son and the name of the petitioner finds place at serial no. 10. Learned counsel further submits that the informant is having dispute with co-accused Ganesh Paswan, who is Mayor, and as the petitioner is supporter of Ganesh Paswan, he has been roped in the present case with false allegation. Learned counsel further submits that the deceased himself was a veteran criminal and altogether seven cases are pending against him. Learned counsel further submits that during investigation CCTV footage was collected and four persons were found involved in the shooting of the son of the informant but the petitioner is not one of them and he was not seen at the spot. Merely on suspicion the petitioner has been made accused in this case. The petitioner is having antecedent of one case and he is in custody since 17.01.2026. Charge sheet has been submitted.

05. Learned APP as well as learned counsel appearing



on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner was found talking to the co-accused, who was seen in the CCTV footage on date of occurrence for quite long time. Learned counsel for the informant further submits that after registration of present case, the petitioner and other co-accused persons came to the house of the informant, threatened him and asked him to withdraw the case against the petitioner and also fired upon him.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioner and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII, Gaya/concerned Court in connection with Sessions Trial No. 162 of 2026, arising out of Gaya Kotwali P.S. Case No. 491 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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