

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38862 of 2026

Arising Out of PS. Case No.-1045 Year-2025 Thana- GAYA MUFASIL District- Gaya

Rohit Raj S/O Dilip Paswan Resident of Village- Bhusunda, PO- Nauranga,
PS- Mufassil, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Laliteshwar Prasad Sharma, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-06-2026 Heard Mr.Laliteshwar Prasad Sharma, learned
counsel for the petitioner and Mr.Syed Mojibur Rahman,
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
03.12.2025 in connection with Gaya Muffasil P.S. Case No.
1045 of 2025, F.I.R. dated 03.10.2025 registered for the
offence punishable under Sections 103(1) and 61(2) of BNS,
2023 and Section 27 of Arms Act.

3. Specific allegation against co-accused person,
namely, Mohit Paswan, who happens to be the brother of the
present petitioner, is that he fired upon the son of the
informant, which hits in the chest. During his treatment, he
died.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that the FIR is in two parts. In first part, there is specific allegation of firing is attributed against co-accused person, namely, Mohit Paswan. In second part, the name of the petitioner has been indicated which suggests that the petitioner and other co-accused persons have threatened the son of the informant. From a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner and similarly situated co-accused persons, namely, Jagdip Paswan @ Karan Kumar and Lakshmi Devi have been granted bail by this Court vide orders dated 12.03.2025 and 17.03.2026 passed in Cr. Misc. Nos. 16181 of 2026 and 16843 of 2026 respectively. Co-accused person, namely, Kuldeep Paswan has also been granted bail by this Court vide order dated 18.06.2026 passed in Cr. Misc. No. 35267 of 2026 and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 03.12.2025.



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

6. Considering the aforesaid fact and petitioner has clean antecedent, let the petitioner, above named, 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 C.J.M., Gaya in connection with Gaya Muffasil P.S. Case No. 1045 of 2025, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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