

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47567 of 2026

Arising Out of PS. Case No.-46 Year-2007 Thana- NAGARNAUSA District- Nalanda

Ramesh Paswan @ Ramesh Kumar @ Ramesh S/o Basudeo Paswan @
Basdeo Paswan Resident of Village- Lachhubigha, P.S.- Nagarnausa, District-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Advocate
Mr.Roop Kishan, Advocate
For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Vijay Anand and Mr. Roop Kishan,

learned counsel appearing on behalf of the petitioner and Ms.

Sharda Kumari, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Nagarnausa P.S. Case No. 46 of 2007 registered under
Sections 341, 323, 504, 379 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, while the
informant was proceeding towards Nagarnausa Bazaar on his
motorcycle, the petitioner, along with other co-accused,
allegedly intercepted him, pulled him down from the
motorcycle, assaulted him with *lathi*, *danda* and rod, attempted
to strangle him and removed Rs.3,000/- from his pocket.

4. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. He submitted that the allegations are general and omnibus in nature and no specific overt act of theft has been attributed to the petitioner. He further submitted that no injury was found on the person of the informant and no independent witness has supported the prosecution case during investigation. Learned counsel submitted that the police has already submitted charge-sheet in the case, the matter is of the year 2007, the parties have amicably settled their dispute. He further submitted that the petitioner is a poor labourer and was residing outside the State for earning his livelihood and, therefore, remained unaware of the pendency of the present case, as a result of which he was declared an absconder. On these grounds, the petitioner seeks the privilege of anticipatory bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and considering the materials available on record, I find that the petitioner has been declared an absconder. However, taking into consideration the fact that the occurrence is of the year 2007, charge-sheet has already been submitted, the



matter is stated to have been settled between the parties and the petitioner claims that he could not appear before the Court as he was residing outside the State for earning his livelihood.

7. Accordingly, the petitioner, if so advised, may surrender before the learned District Court and seek regular bail within a period of four weeks from today. In such an event, the learned District Court shall consider the bail application of the petitioner on the same day, on its own merits, on the basis of the materials collected during investigation and pass a reasoned order in accordance with law, without being prejudiced by the present order.

8. With the aforesaid observation and direction, the present application stands disposed of.

(Purnendu Singh, J)

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