

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50214 of 2026

Arising Out of PS. Case No.-244 Year-2024 Thana- IMAMGANJ District- Gaya

Santan Paswan S/o Pramod Paswan R/o Village- Karmdih, PS- Roushanganj,
Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P appearing on behalf of the State.

2. The petitioner is in jail in connection with
Imamganj P.S. Case No. 244 of 2024 for the offences punishable
under section 309(4) of B.N.S.

3. As per allegation in the FIR, three unknown
miscreants, on gun point, took away the motorcycle of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He submits that except the confessional statement of
the co-accused Akhilesh Paswan @Akhlesh Paswan @Gora
Paswan @Chintu Paswan, there is no any specific allegation



against the petitioner. He next submits that no incriminating article has been recovered from the conscious possession of the petitioner. He lastly submits that the petitioner is not put on Test Identification Parade and no case has been made out against him. The petitioner is in custody since 05.12.2024.

5. Learned APP appearing on behalf of the State vehemently opposes the prayer for bail of the petitioner.

6. From the perusal of the FIR and impugned order dated 18.06.2026 of learned Additional Sessions Judge- II , Sherghati, Gayaji, it appears that petitioner's name was lodged in the FIR and his name surfaced in the case only on the basis of confessional statement of the co-accused namely Akhilesh Paswan @Akhlesh Paswan @Gora Paswan @Chintu Paswan.

7. From the perusal of the records, it also appears that on the basis of written report of informant namely Kumar Ajay Narayan Arora, FIR has been registered under Section 309(4) of B.N.S. 2023 against three unknown persons. Co-ordinate bench of this Hon'ble Court vide order dated 09.07.2025 passed in Cr. Misc. Case No. 42103 of 2025 granted bail to the co-accused Akhilesh Paswan @Akhlesh Paswan @Gora Paswan @Chintu Paswan. Chargesheet has already been submitted in this case, so considering all these aspects of the case, I am inclined to grant



bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Judicial Magistrate, 1st Class, Sherghati at Gayaji in connection with Imamganj P.S. Case No. 244 of 2024, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or the witness, 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 antecedents, 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.

(Girijish Kumar, J)

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