

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72560 of 2025**

Arising Out of PS. Case No.-123 Year-2011 Thana- PATAHI District- East Champaran

Baidhnath Paswan @ Baidhnath Ram S/O Late Gudar Paswan Resident of  
village - Chamainiya, P.S- Shyampur Bhataha, Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                           |
|----------------------|---|-------------------------------------------|
| For the Petitioner/s | : | Mr. Abhishek Kumar<br>Mr. Harsha Shashwat |
| For the State        | : | Md. Aslam Ansari                          |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      10-02-2026                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the  
offence punishable under Sections 364(A), 366, 376, 379 and 34  
of the Indian Penal Code.

3. There is allegation against the petitioner that he is a  
Naxalite and he along with other co-accused persons had  
gathered together to commit some offence.

4. Learned counsel for the petitioner submits that the  
name of the petitioner has transpired in this case on the basis of  
confessional statement made by the apprehended persons and  
the petitioner was neither arrested on the spot nor any  
incriminating article was recovered from his possession. It is  
further submitted that similarly situated six co-accused persons



have already been enlarged on bail by co-ordinate Benches of this Court vide Annexure-2 series and Annexure-3. Further, the petitioner is not a member of any unlawful association and he is in custody since 10.07.2025.

5. Learned APP for the State has opposed the application for bail on the ground that the FIR is of the year 2011 and there is enough delay caused by the petitioner. In response, it has been submitted that the petitioner had no knowledge of the said case as his name had transpired during the investigation as such, he could not approach the Court earlier and when he was arrested in some other case, he was remanded in the present case.

6. The report with regard to the stage of trial has also been received which shows that the same is pending for prosecution evidence and no witness has been examined as yet indicating thereby that there is no likelihood of conclusion of trial in the near future.

7. Taking into consideration the facts and circumstances and also considering that fact that the petitioner has remained in custody since 10.07.2025 with charge-sheet being submitted and charges having been framed, let the above named petitioner, be enlarged on bail on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Patahi P.S. Case No. 123 of 2011, subject to the conditions that the petitioner shall appear on each and every date till conclusion of trial and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

devendra/-

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