**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.80589 of 2026**

**CNR No. BRHC011155072026**

Arising Out of PS. Case No.-304 Year-2024 Thana- UDAKISHUNGANJ District-Madhepura

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Chandan Kumar S/o Jaikrishan Paswan @ Jay Krishna Paswan Resident of Village- Jogbani ward no. 14, P.S.- Gamhariya, Distt.- Madhepura

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and the learned APP for the State.

2. The petitioner seeks bail in connection with Udakishunganj P.S. Case No. 304 of 2024 registered for the offences under Sections 109(1), 3(5) and subsequently added Section 309(6) of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per the FIR, the informant has alleged that while his nephew was going on his bicycle, three unknown criminals riding on a motorcycle, shot on the arm of his nephew and had even assaulted him.

4. The learned counsel for the petitioner submits

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that the petitioner has falsely been implicated merely because he carries a long list of criminal antecedents and has been taken on remand in one another case after one year two months. It has been submitted that apart from the confessional statement of co-accused Dilkhush Kumar, there is nothing to connect the petitioner with the aforesaid incident. It has further been pointed out that till date TIP has not been conducted and the charge-sheet has already been submitted only under Section 309(4) of the B.N.S. and Section 27 of the Arms Act. It has lastly been submitted that the petitioner carries six criminal antecedents and is in custody since 24.02.2026 in the present case.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the petitioner is a habitual offender and has long list of antecedents.

6. After hearing the parties and considering the fact that the petitioner has been taken on remand from another case and apart from confessional statement there is nothing against him, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Udakishunganj,

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Madhepura in connection with Udakishunganj P.S. Case No. 304 of 2024, subject to 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, if so required by the learned Trial Court;*

*(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;*

*(iv) 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.*

*(v) in view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police of the concerned district within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.*

*(vi) the petitioner is refrained from meeting with the victim or her family members and does not try to influence them.*

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7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

**(Sourendra Pandey, J)**

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