

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84257 of 2025

Arising out of PS. Case No.-62 Year-2025 Thana- Baijnathpur District- Saharsa

Mukesh Paswan S/o Chandeshwari Paswan R/o Vill- Bardaha, P.S.- Parmanandpur, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s: Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Sections 126(2), 127(2), 115(2), 308(2), 308(6), 308(7), 318(4), 351(2)(3) and 61(2) of the Bharatiya Nyaya Sanhita, 2023. He has four criminal antecedents.

3. As per the prosecution case, the informant has alleged that when he was coming to his house from Patna and at Saharsa Station, while he was waiting for the train, 5-6 persons called him outside the station and one person made a phone call, upon which a Scorpio vehicle having banner of police came there in which four persons were seated and the informant suspected them to be police person and on being asked from one, he disclosed his name as Mukesh Paswan (Petitioner) and other



persons as named in the FIR. It is further alleged that the demand of Rs. 1,00,000/- was made from the informant and when he denied to meet the said demand he was confined and was kept in a room where he was brutally assaulted and the matter was pacified for making payment of Rs. 80,000/-. After managing of Rs. 80,000/- the father of the informant, gave Rs. 29,000/- cash and Rs. 25,000/- each by two separate transactions on mobile phone pay.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on suspicion. From bare perusal of the FIR, it would be evident that there is no specific overt act against the petitioner either for demanding extortion money or of accepting the extortion money. It is further submitted that admittedly the amount of Rs. 50,000/- was sent on two mobile phone numbers given by Amar Jyoti and the petitioner has no concern whatsoever with the said accused. It is also submitted that the petitioner had in fact been contacted by the co-accused to identify a person, however, in due course he has falsely been implicated by the informant merely because he had accompanied the said co-accused. It is lastly submitted that the petitioner has four criminal antecedents and he is in custody since 13.07.2025.



5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner has four criminal antecedents as such he should not be released on bail.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioner is in custody since 13.07.2025, the petitioner above named, is directed to be released 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 concerned learned Judicial Magistrate, 1st Class, Saharsa in connection with Baijnathpur P.S. Case No. 62 of 2025, subject to the 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 bond of the petitioner will be liable



to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner except four cases 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 the same or in the name of verification.

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

8. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Saharsa 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 Superin-



tendent of Police, a certificate will be filed by the petitioner be-
fore the court concerned.

(Sourendra Pandey, J)

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