

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85144 of 2025

Arising Out of PS. Case No.-250 Year-2020 Thana- HARSIDHI District- East Champaran

Mukesh Paswan S/o- Jimu Paswan R/v- Ghogharaha Bairiya Dih, W.No-1,
Ps- Harsidhi Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-01-2026 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Umanath Mishra, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.07.2025 in connection with Harsidhi P.S. Case No. 250 of
2020, F.I.R. dated 15.06.2020 for the offences punishable under
Sections 341, 325, 307 and 34 of the IPC but later on Sections
302 and 326 of the IPC were added.

3. According to prosecution case, this petitioner along
with other accused persons have killed the informant by putting
him on fire. It is further alleged that the specific allegation of
pouring kerosene and putting the deceased on fire is on the co-
accused persons.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that although the petitioner is named in the F.I.R but it appears from the F.I.R itself that the petitioner along with co-accused persons have caught hold the deceased and co-accused, Ashok Paswan poured kerosene oil on the deceased and co-accused, Vikas set him on fire. Apart from the aforesaid, the occurrence took place on 31.05.2020 and Sections 302 and 326 of the IPC were added on 24.06.2024. Although the petitioner is named in the F.I.R but there is no specific allegation against him rather the only allegation against him is that he has caught hold the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 22.07.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the only allegation against the petitioner is that he has caught hold the deceased, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East



Champaran at Motihari in connection with Harsidhi P.S. Case
No. 250 of 2020, 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 witnesses, 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 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 or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

