

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88435 of 2025

Arising Out of PS. Case No.-434 Year-2025 Thana- RAHUI District- Nalanda

Akhilesh Paswan Son of Late Prabhu Paswan R/O Vill.- Gulariya Bigha, P.S.-
Chandi, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 73588 of 2025

Arising Out of PS. Case No.-434 Year-2025 Thana- RAHUI District- Nalanda

Shivnath Kumar Son of Late Mohan Ray Resident of Village- Mohanpur, PS-
Raghopur, District- Vaishali, at present Driver of Dial 112, Harnaut Police
Station, Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 12394 of 2026

Arising Out of PS. Case No.-434 Year-2025 Thana- RAHUI District- Nalanda

Rakesh Paswan S/O Late Tatar Paswan R/O Village- Murgiyachak, PS- Wena,
District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 88435 of 2025)
For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP
(In CRIMINAL MISCELLANEOUS No. 73588 of 2025)
For the Petitioner/s : Mr. P.N.Shahi, Sr. Advocate
Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 12394 of 2026)
For the Petitioner/s : Mr. Shashank Chouhan, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP



CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 01-04-2026

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Rahui P.S. Case no.434 of 2025 registered under sections 127(2), 308(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that on going from his house in his vehicle, he was carrying a large amount of money (approx Rs.30 lacs) for entering into a transaction with respect to an immovable property. It is further stated that the amount was kept in a plastic bag on the back seat. At this time, some police personnel in a police vehicle reached there and forced the informant to sit in the back of the vehicle and thereafter he was sent in an auto. The amount was taken away by them.

4. Learned Senior counsel appearing for the petitioner Shivnath Kumar submits that the petitioner, who is a retired Army Personnel and at present working on contract as a driver with the police authorities, has been falsely implicated in the case. No incriminating article has been recovered from his possession and he has not been put on T.I. parade inspite of being in custody since 24.7.2025. He has no criminal



antecedent.

5. Learned counsel appearing for the petitioner Rakesh Paswan submits that the petitioner has been falsely implicated in the case. The allegation of recovery of amount from the petitioner is incorrect. No incriminating article has been recovered from his possession. The cause of his false implication is his antecedents. In spite of being in custody since 22.7.2025, he has not been put on T.I. parade and chargesheet has been submitted in the case.

6. Learned counsel appearing for the petitioner Akhilesh Paswan submits that no incriminating article has been recovered from the petitioner's possession. The allegedly recovered amount has not been put on T.I. parade. Co-accused Shabnam Kumari has been enlarged on bail. The petitioner is in custody since 24.7.2025 and has no criminal antecedent.

7. The application for bail is opposed by learned A.P.P. for the State.

8. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the FIR, the material that has transpired in course of investigation, recovery of Rs.3.5 lacs and Rs.3.25 lacs from the possession/house of the petitioners Rakesh Paswan and



Akhilesh Paswan, the Court is not inclined to enlarge the two petitioners on bail and the application is rejected.

9. Liberty is granted to the two petitioners to renew their prayer for bail after six months or on framing of charge whichever is later.

10. Taking into consideration the facts and circumstances of the case, no incriminating article having been recovered from the possession of the petitioner Shivnath Kumar, his not having been put on T.I. parade inspite of being in custody for 8 months since 24.7.2025 and chargesheet having been submitted in the case, the Court directs the petitioner Shivnath Kumar to be enlarged on bail in connection with Rahui P.S. Case no.434 of 2025 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 Chief Judicial Magistrate, Nalanda, Bihar Sharif.

(Partha Sarthy, J)

Saurabh/-

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