

In the Court of Sessions Judge, Vaishali

B.P. No. 308/2026

Sanjay Paswan, aged about 26 years S/o Suresh Paswan, Resident of village – Dighi
Kala West Gop Tola, P.S. - Hajipur Sadar, District – Vaishali.

:- Petitioner
Versus

State of Bihar :- O.P.

Appearance :-

Learned counsel for the petitioner :- Sri Ram Yatan Rai, Advocate

Learned P.P. for the State : Sri Shyam Babu Rai, P.P.

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 13th. March 2026

The regular bail petition of the above named accused petitioner has been filed u/s 483 of B.N.S.S., who is in judicial custody since 30.09.2025 in connection with Hajipur Sadar P.S. Case No. 271/2024 registered u/ss. 394, 307, 302 I.P.C. and 27 of Arms Act,

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that earlier no bail application either anticipatory or regular has been filed on behalf of the petitioner before this court of sessions or before the Hon'ble High Court, Patna.

The prosecution case in brief, as per fardbayan of the informant Kiran Kumari is that she runs a Grahak Seva Kendra of IDFC First Bank at her house. On 29.04.2024 at about 3:55 P.M., while she was doing work in her Grahak Seva Kendra and people were depositing and withdrawing their money, three persons riding on a motorcycle and armed with pistols entered into the Grahak Seva Kendra and started snatching money from the counter on the point of pistol. When her elder son Aman Kumar Singh and her husband Dhaneshwar Prasad Singh protested and tried to apprehend the miscreants, the miscreants started firing

indiscriminately from their pistols. One bullet hit the informant on her right leg due to which she fell down, while 3–4 bullets hit the chest of her husband causing grievous injuries. Thereafter, the miscreants fled away after looting about Rs. 1,50,000/- from the Grahak Seva Kendra. On being raised, nearby people assembled and took the injured persons to Sadar Hospital for treatment, where the doctor declared Dhaneshwar Prasad Singh dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is in custody since 30.09.2025. The name of petitioner has been surfaced in this case on the basis of confessional statement of the co-accused of this case namely Vivek Kumar in connection with Hajipur Sadar P.S. Case No. 285 of 2024. The accused/petitioner remanded in this case in Rajiv Nagar P.S. Case No. 189 of 2025. As per para 3 of bail petition, the petitioner has nine criminal antecedents prior to this case. He further submits that nothing has been recovered from the possession of the petitioner. No T.I.P., has been done in this case. Cognizance has already been taken in this case. The other two co-accused of this case have already been granted bail by the Hon'ble High Court, Patna. On these grounds, prayer has been made to enlarge the petitioner on bail.

The learned Public Prosecutor for the State opposed the prayer for bail.

Heard both the parties and perused the trial court record and the case diary. From perusal of the record, trial court record and the case diary, it appears that there is an allegation of robbery in the Grahak Seva Kendra of the informant at the point of pistol and, during the alleged occurrence, several firings were made by the miscreants from pistols, in which the informant and her husband sustained gunshot injuries, due to which the informant's husband died. The petitioner is not named in the F.I.R., but his involvement has come to light during investigation on the basis of the confessional statement of co-accused Vivek Kumar, as mentioned in Para 40 of the original case diary. The seizure list mentioned in Para 30 of the original case diary shows that three empty cartridges and three live cartridges were seized from the place of occurrence. The informant, in her re-statement in Para 11, and other witnesses namely Niraj Kumar, Anil Kumar, Balelshwar Singh, Anita Kumari and Aman Kumar, in their statements recorded in Paras 6, 7, 8, 9 and 12 of the original case diary, have supported the

prosecution case. The post-mortem report of the deceased, mentioned in Para 72 of the case diary, shows that the doctor found the following injuries:

- Circular wound on the left side of the chest, bleeding around $\frac{1}{2}$ cm circular (anterior aspect) near the sternum.
- Circular everted margin wound on the back of the chest in the right scapular region measuring about 2 cm in diameter (exit wound).

The doctor has opined that the cause of death was due to a firearm injury.

The injury report of the injured/informant Kiran Kumari, mentioned in Para 59 of the supplementary case diary, shows that she sustained the following injuries:

- **Entry wound** – Lacerated wound of diameter 1–2 mm, circular/oval, inverted in nature on the right thigh just above the knee on the lateral aspect.
- **Exit wound** – Lacerated wound of diameter 3–4 mm, circular, everted in nature on the right thigh just above the knee on the medial aspect.

The above injuries are simple in nature and were caused by a firearm. Since not involving bone or any vital organ that endanger life. The petitioner has ten criminal antecedents of similar offences, as mentioned in Para 43 of the supplementary case diary, which shows that the petitioner is a habitual offender. The other co-accused of this case have been granted bail by the Hon'ble High Court, Patna after nine months of judicial custody, whereas the present petitioner is in custody since 30.09.2025 (approximately six months of judicial custody). In the present case, cognizance has been taken against the petitioner for the offences punishable under Sections 396, 397, 326 and 120(B) of the I.P.C. and Sections 25(1-B)(a), 26, 27 and 35 of the Arms Act, and the offences alleged against the petitioner are serious and heinous in nature.

Therefore, considering the aforesaid facts, circumstances of the case as well as gravity of the offences, I am not inclined to enlarge the accused petitioner on bail. Accordingly regular bail petition of the above named accused petitioner is rejected.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali