

In the Court of Sessions Judge, Vaishali

B.P. No. 477/2026

Kantlal Paswan @ Kantlal Kumar, aged about 23 years, S/o Vishandev Paswan, Resident of village-Rahimapur, P.S. -Bidupur, District – Vaishali. :- Petitioner

Versus

State of Bihar

:- O.P.

Appearance :-

Learned counsel for the petitioner :- Sri. Ramswaroop Singh, Advocate

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

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 04th May 2026

The regular bail petition of the above named accused petitioner has been filed u/s 483 of B.N.S.S., petitioner is in judicial custody since 11.03.2026, in connection with Rajapakar P.S. Case No. 494/2024 registered u/ss. 25(1-b)a, 26 & 35 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 no petition for bail either regular or anticipatory has been moved on behalf of the petitioner before this court or before the Hon'ble High Court, Patna.

The case of the prosecution, in brief, as per the written report of informant Priya Ranjan Pandey, S.H.O. of Baranti O.P., is that on 12.12.2024 he received information that 4-5 persons had assembled below the Shivganj Lakhni Dhala to commit a crime. On such information, the informant along with a police team reached there, and on seeing the police vehicle, the miscreants started to flee. Out of them, three miscreants were apprehended while the remaining two succeeded in fleeing away, taking advantage of the darkness. The apprehended miscreants disclosed their names as Sunil Paswan, Suraj Paswan, and Krishna Paswan. They also disclosed the names of the miscreants who fled away as Kantlal Paswan and Rahul Kumar. Thereafter, a search of the apprehended miscreants was conducted. One country-made pistol and one live cartridge were recovered

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from the possession of accused Krishna Paswan. One live cartridge was recovered from the pocket of Suraj Paswan. On demand for valid papers for the recovered arms and ammunition, they failed to produce any of the same.

The learned counsel for the above named accused petitioner submits that the petitioner is innocent has committed no offence and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of this petitioner. Entire prosecution case is false and concocted. The co-accused persons were granted bail by this Court vide B.P. No. 39/2025 and B.P. No. 132/2025. The petitioner has criminal antecedents of eight other criminal cases, i.e.:

- (i) Ganga Bridge P.S. Case No. 158/2022 u/s 457, 380, and 411 I.P.C.,
- (ii) Ganga Bridge P.S. Case No. 85/2022 u/s 457 and 380 I.P.C.,
- (iii) Ganga Bridge P.S. Case No. 141/2022 u/s 379 I.P.C.,
- (iv) Ganga Bridge P.S. Case No. 160/2022 u/s 457 and 380 I.P.C.,
- (v) Nagar P.S. Case No. 502/2022 u/s 414, 413 I.P.C. & Section 25(1-b)a, 26, and 35 of the Arms Act,
- (vi) Ganga Bridge P.S. Case No. 149/2022 u/s 461, 379, and 411 I.P.C.,
- (vii) Rajapakar (Baranti) P.S. Case No. 383/2024 under Section 331(4) and 305(a) of B.N.S. & N.D.P.S. Act,
- (viii) Rajapakar (Baranti) P.S. Case No. 424/2024 u/s 331(4) & 305(a) B.N.S. Prior to Rajapakar (Baranti) P.S. Case No. 383/2024 and Rajapakar (Baranti) P.S. Case No. 424/2024, the petitioner was granted bail in all cases. Petitioner is in judicial custody since 20.02.2026. Charge-sheet has been submitted. Hence, a prayer has been made to enalrge the petitioner on bail.

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

Heard both parties. Perused the lower court record and the case diary. From a perusal of the original case record and the case diary, it transpires that the petitioner has been made an accused in this case on the basis of the statement of co-

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accused persons who were apprehended on the place of occurrence and from whose possession arms and ammunition were seized by the police. The petitioner was also in association with the apprehended accused persons but had succeeded in fleeing away from the place of occurrence. The witnesses, in their statements, have supported the facts in Paras 4, 5, and 6 of the case diary. The confessional statement of co-accused Sunil Paswan is also on record and in his confessional statement he confessed his crime. The petitioner has criminal antecedents of eight other criminal cases, as mentioned in Para 3 of the bail petition. Hence, the petitioner appears to be a member of a gang of criminals and a habitual offender.

From further perusal of the case record, it also transpires that regular bail was granted to Sunil Paswan and Krishna Paswan vide B.P. No. 39 of 2025 and to Suraj Paswan vide B.P. No. 132 of 2025 by a single order dated 28.02.2025. Regular bail of Rahul Kumar was rejected vide B.P. No. 698 of 2025 by order dated 13.06.2025, who had criminal antecedents of eight cases, by the then P.O. Which was allowed by the Hon'ble High Court vide Cr. Misc. No. 49585 of 2025 dated 13.10.2025, considering his custody period, as he was in custody since 14.04.2025. However, the present petitioner is in custody since 20.02.2026.

Therefore, considering the aforesaid facts, circumstances of the case as well as gravity of the offences, this court does 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