

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5973 of 2023**

Arising Out of PS. Case No.-32 Year-2022 Thana- BARGAINIA District- Sitamarhi

Jitendra Paswan Son Of Mahendra Paswan R/V- Musachhak, P.S.- Baigaria,  
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      01-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 395 of the Indian Penal Code.

As per prosecution case, it is alleged that on 02.02.2022, 25-30 miscreants armed with gun encircled the house of the informant and 10-12 miscreants entered the informant's house by breaking lock of the main gate and on pistol point looted several ornaments worth Rs. 40 lakhs and cash of Rs. 7 lakhs.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to criminal



antecedent. Neither the petitioner is named in the FIR nor he has been put on TIP. It is further submitted that no any looted article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 09.12.2022 passed in Cr. Misc No. 48546 of 2022. The petitioner is remanded in this case from another case and languishing in judicial custody since 04.03.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bairgania P.S. Case No. 32 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi.

**(Sunil Kumar Panwar, J)**

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