

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75338 of 2024

Arising Out of PS. Case No.-260 Year-2022 Thana- LAUKAHI District- Madhubani

Gunsagar Paswan Son of Manja Paswan Resident of Village - Lalbandi
(Punarvas), P.S.- Lalbandi, District - Sarlahi (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Vinod Kumar, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Laukahi P.S. Case No.
260 of 2022, instituted for the offences punishable under
Sections 395/412 of the Indian Penal Code.

3. The prosecution case, in short, is that, 11-12
accused persons including this petitioner looted jewellery and
cash amounting to Rs. 50,000/- from the house of the informant.
It is further alleged that the police chased the accused persons
and caught this petitioner. It is further alleged that the looted
jewellery was also recovered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that as per allegation two bags and one *jhola* have been recovered from the possession of the petitioner and some looted article has also been recovered from the said bags and *jhola*. From perusal of the seizure list it appears that the jewellery and cash have been recovered from some other place. No T.I. parade has been conducted in this case. The petitioner is in custody since 29.10.2023 and has got five criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 12.03.2024 passed in Cr. Misc. No. 15717 of 2024 and order dated 15.05.2024 passed in Cr. Misc. No. 37726 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laukahi P.S. Case No. 260 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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