

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3745 of 2025

Arising Out of PS. Case No.-144 Year-2021 Thana- GURUA District- Gaya

Laxman Paswan @ Laxman Kumar S/o Late Chamari Paswan R/o Village-
Ghoraghat, P.S- Dobhi, Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 25-04-2025 Heard Mr. Vijay Kumar, learned counsel for the

petitioner and Mr. Surendra Prasad Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.07.2023 in connection with Sessions Trial No.
785/2024/175/2024 arising out of Gurua P.S. Case No. 144 of
2021, F.I.R. dated 29.06.2021 for the offences punishable under
Section 394 of the Indian Penal Code but the police after
investigation submitted charge sheet under Sections 395 and
412 of the Indian Penal Code.

3. According to prosecution case, three miscreants
entered the shop of the informant and on the point of gun, looted
Rs. 1 lakh and two mobile phone from the counter and fled
away and also gave threatening for dire consequences.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of the self confessional statement of the petitioner. Apart from that till date no T.I.P. has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Chandan Kumar @ Chandan Paswan has been granted bail by this Court vide order dated 16.02.2023 passed in Cr. Misc. No. 41863 of 2022. The petitioner is in custody since 22.07.2023. He fairly submits that one phone has been recovered from the possession of the co-accused, namely, Chandan Kumar @ Chandan Paswan and the case of the petitioner is on the similar footing of the said Chandan Kumar.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 13 criminal antecedents other than the present one but fairly submits on the basis of supplementary



affidavit filed on behalf of the petitioner that the petitioner is on bail in 10 cases and the rest 3 cases are pending for consideration before the competent court of law.

6. Considering the aforesaid facts and circumstances that except the self confessional statement of the petitioner no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence, till date no T.I.P. has been conducted by the prosecution, similarly situated person has been granted bail by this Court as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge 1st, Sherghati at Gaya in connection with Sessions Trial No. 785/2024/175/2024 arising out of Gurua P.S. Case No. 144 of 2021, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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