

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2998 of 2025

Arising Out of PS. Case No.-296 Year-2024 Thana- ATHMALGOLA District- Patna

Sujit Paswan S/O Late Ram Pravesh Paswan Resident of Village- Malahi,
Kali Sthan, Police Station - Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 04-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Athmalgola P.S. Case No. 296 of 2024 registered for the

offences under Sections 137(2)/140(3) Bharatiya Nyaya

Sanhita, later on Sections 103(1), 238, 61(2) Bharatiya

Nyaya Sanhita were added.

3. The petitioner is not named in the F.I.R. and is in

custody since 27.09.2024.

4. As per the FIR, husband of informant was taken

away from his home by two known persons, namely, Dinesh



Paswan and Sadhu Mahto, whereafter he never returned to home. Consequent upon giving physical description of her husband, the present FIR was lodged for appropriate legal action.

5. Mr. Aurn, learned counsel appearing on behalf of the petitioner submitted that the petitioner was not named in the FIR and being an afterthought, while recording the re-statement, out of village politics, the petitioner was implicated with present case. It is submitted that subsequently upon arrest, co-accused Dinesh Paswan who is named accused named this petitioner in his confessional statement in furtherance of which, no incriminating material was recovered/surfaced so as to connect the petitioner, prima facie, with the present crime in question. It is submitted that during course of investigation, upon confession of named co-accused Dinesh Paswan, one male human skeleton was recovered, but nothing appears during the course of investigation so as to connect the skeleton being the skeleton of the deceased husband of the informant. While concluding the arguments, it is submitted that investigation of this case



has already completed, charge-sheet submitted, and as such, there is no chance of tampering with the evidence and moreover, petitioner found involved in four more criminal cases of different nature, where he is on bail.

6. Learned APP appearing on behalf of the State, while opposing the prayer for bail could not disputed the factual submissions as advanced above.

7. In view of aforesaid factual submissions and by taking note of the fact as save and except suspicion arising out of confessional statement, nothing appears incriminating so as to connect the petitioner, prima facie, with the murder of husband of the informant, coupled with the fact that the investigation of this case is already completed, where petitioner remained in custody since 27.09.2024, accordingly above named petitioner, is directed to be released on bail in connection with Athmalgola P.S. Case No. 296 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh, Patna/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.



8. Physical appearance of I.O. is dispensed with.

(Chandra Shekhar Jha, J)

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