

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4777 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- RUPASPUR District- Patna

Pankaj Kumar S/O Sufal Paswan @ Rama Sufal Paswan R/O Sikandarpur,
P.S.- Paliganj, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Shekhar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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

ORAL ORDER

2 29-01-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Rupaspur P.S. Case No. 130 of 2024, instituted for the offences
punishable under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
was involved in the theft of the motorcycle of the informant
bearing Registration No. BR-01EQ-5809. It is alleged that the
CCTV footage has revealed that three miscreants, covering their
faces with *gamcha*, have stolen the motorcycle of the informant.

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 the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of self-confession made in Kotwali P.S. Case No. 142 of 2024 before the police and the same has got no evidentiary value. No T.I. parade has been conducted in this case. The petitioner has been remanded in this case on 01.08.2024 and has got five criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 69608 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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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 Rupaspur P.S. Case No. 130 of 2024, 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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