

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20443 of 2025

Arising Out of PS. Case No.-85 Year-2001 Thana- NAVINAGAR District- Aurangabad

Sitaram Paswan @ Nepali Paswan S/O Late Yadu Ram R/O Village-
Mahugawan, P.O and P.S- Pandu, Distt.- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar Paswan, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Navinagar P.S. Case No. 85 of 2001 dated 12.10.2001 registered for the offences punishable u/s 395 of the Indian Penal Code.

3. As per the prosecution case, on 10.10.2021, the informant had withdrawn some money from Nabinagar Bank and had brought some money from Rafiganj. The informant's father who is a retired teacher had also withdrawn Rs. 38,000/-. It is further alleged that on 11/12.10.2001 at about



12.30 hours, when the informant's father went to attend the call of nature, in the meantime, one person flashed the torch on him and said that he was a *dacoit* and demanded the key of main gate. Thereafter, all the miscreants entered the house and confined all the family members of the informant in a room and looted several household articles including one lady watch, golden earring, gold chain, golden nose ring and took Rs. 4,000/- in cash and fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Bhola Paswan and Jairam Ravidas. Learned counsel has further submitted in para 10 of the bail petition that the petitioner has never received any summon or notice to appear in the present case and hence, he has no knowledge about his implication in the present case and due to this reason only he has not appeared before the learned court and he is shown as absconder by the I.O. in connection with the present case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. Learned



counsel has further submitted that the petitioner is an old person and he is suffering from various ailments. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner was arrested from his house by police on 20.08.2024 and sent to jail. Learned counsel has further submitted that Sections 82 and 83 were earlier issued against the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with G.R. Case No. 1539/2001 corresponding to Nabinagar P.S. Case No. 85 of 2001 with the conditions :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to



be cancelled.

(ii) The petitioner is directed to cooperate in the trial before the learned court below.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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