

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21820 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- R S P.S. District- Araria

TOLAKI PASWAN S/O BANGALI PASWAN Resident of Village-
Bajjnathpur, Ward No. 06, P.S.- R.S., District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-05-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with R.S. P.S. Case No. 115 / 2024 dt: 16.08.2024 registered u/s 331(4) / 305 of the B.N.S. and later on section 317(2) of the B.N.S. also added.

3. As per the first information report on 14.08.2024 at around 02:00 P.M. when the informant came to her house after duty in Government Hospital Kursakanta, she saw that all items and household belongings were scattered and three TVs, gold jewelry, two lakh rupees and other items were missing. The informant claims that seeing the house empty, some unknown persons have committed theft in her house.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has not committed any offence in the manner



alleged. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused / Vishnu Paswan and Chhotu Kumar Paswan. He submit that no theft articles and / or looted property have been recovered from the conscious possession and / or premises belonging to the petitioner.

5. I have heard learned counsel for the petitioner and perused the impugned order. In the impugned order refusing anticipatory bail the learned Additional Sessions Judge II, Araria has recorded that in paragraph nos. 7, 8 & 9 of the case diary the witnesses have supported the factum of occurrence and paragraph nos. 23 & 24 of the case diary contains the seizure list wherein it has been mentioned that stolen articles have been recovered from the possession of the co-accused and the co-accused persons have accepted the active role played by the petitioner in the commission of offence. Moreover, investigation against the petitioner in this case is still going on. Accordingly, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

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(Anil Kumar Sinha, J)

