

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27700 of 2025

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

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Kailu Paswan @ Manoj Paswan S/o- Jamuna Paswan Village- Gosaidih
Pindra Kala, Ps- Hunterganj, Dist- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-04-2025 Heard Mr. Arvind Kumar Singh, learned counsel for

the petitioner and Mr. Yogendra Kumar, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
22.07.2023, in connection with Sessions Trial No. 785 of 2024,
175/2024 corresponding to Gurua P.S. Case No. 144 of 2021,
F.I.R. dated 29.06.2021 registered for the offences punishable
under Section 394 of the Indian Penal Code and later on police
has submitted chargesheet under Sections 395 and 412 of the
Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely 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 offence as alleged in the F.I.R. and the petitioner was arrested and he has confessed his guilt in the present occurrence and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that no test identification parade was conducted by the prosecution. He further submits that co-accused person namely Chandan Kumar has been granted bail by this Court vide order dated 16.02.2023 in Cr. Misc. No. 41863 of 2022, another co-accused person namely Laxman Paswan @ Laxman Kumar has been granted bail by this Court vide order dated 25.04.2025 in Cr. Misc. No. 3745 of 2025 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.07.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries twelve more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of twelve cases, petitioner is on bail in four cases and rest cases are pending



before the competent court of law for consideration.

6. Considering the facts and circumstances of the case and the fact that other co-accused persons have been granted bail by this Court and except the confessional statement of the petitioner, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st, Sherghati, Gaya in connection with Sessions Trial No. 785 of 2024, 175 of 2024 arising out of Gurua P.S. Case No. 144 of 2021, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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