

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25463 of 2025

Arising Out of PS. Case No.-496 Year-2021 Thana- SHERGHATI District- Gaya

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

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Sherghati (Dobhi) P.S. Case No.496 of 2021 registered
for the offences punishable under Sections 392 of the Indian
Penal Code.

3. The accused/petitioner is named in the FIR and is
in custody since 05.04.2024.

4. Allegation against the petitioner is to commit
robbery along with unknown accused persons and while
committing so, looted a pick-up van of the informant along
with cash of Rs.42,000/-.

5. It is submitted by learned counsel that the name



of petitioner transpired during the course of investigation on the basis of confessional statement of co-accused, Lakshman Paswan, in furtherance of which, no incriminating material recovered/surfaced as to connect the petitioner *prima facie* with present occurrence of robbery. It is submitted that the petitioner was not put on T.I.P. as yet. It is also pointed out that one of the reason for implication of this petitioner with present occurrence is suspicion arising out of his criminal antecedents, as petitioner said to be involved in twelve more criminal cases as per para-91 of the case diary, where in maximum of cases, his name transpired on the basis of confessional statement as of present case, having otherwise no evidentiary value. It is submitted by learned counsel that bail of petitioner ordinarily cannot be denied merely on the basis of his criminal antecedents, if merit of the case otherwise in favour. In support of his submission, learned counsel has relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari vs. State of U.P. & Ors. [(2020) 11 SCC 648]**. While concluding argument, it is submitted that investigation of this case is



already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused Lakshman Paswan, nothing *prima facie* recovered incriminating against the petitioner as to connect him with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner is in custody since 05.04.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. Case No.496 of 2021, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of



the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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