

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22657 of 2025

Arising Out of PS. Case No.-8 Year-2009 Thana- KORANSARAI District- Buxar

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1. Hare Ram Paswan S/O Deo Lal Paswan R/O Village- Amsari, P.S- Murar, Distt.- Buxar.
 2. Deepak Kumar @ Ajay Kumar @ Wakili S/O Late Gajendra Kumhar R/O Village- Amsari, P.S- Murar, Dist.- Buxar.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 29-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the
offence punishable under Sections 394, 395 and 412 of the
Indian Penal Code.

3. The allegation in the first information report is
that four unknown miscreants are said to have looted the
informant's mobile phone and purse on the point of pistol. The
petitioners had been granted bail in the present case earlier but,
subsequently, on 22.08.2023, their bail bonds had been
cancelled and they were taken into custody on 19.02.2025.

4. At the very outset, it is submitted by learned counsel



for the petitioners that it is case of misuse of privilege of bail. It is further submitted that the petitioners are not named in the first information report and no recovery has been made from their conscious or physical possession. As a matter of fact, earlier the petitioners were granted privilege of bail and, for earning their livelihood, they went to Punjab but the family members did not make proper pairvi in this case, hence their bail bonds had been cancelled by the learned Court below. It is further submitted that the similarly situated co-accused, namely, Ram Bharosa Choudhary and Kamlesh @ Ojha Choudhary have already been granted privilege of bail by a co-ordinate Bench of this Court vide order dated 12.05.2025 passed in Cr. Misc. No.18285 of 2025. The petitioners have have been languishing in custody since 19.02.2025.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case as well as the fact that it is case of misuse of privilege of bail, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below



where the case is pending/successor Court in connection with Sessions Trial No.333 of 2009 arising out of Koransarai P.S. Case No.08 of 2009, subject to the condition that the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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