

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26230 of 2025

Arising Out of PS. Case No.-429 Year-2024 Thana- BANMANKHI District- Purnia

Nishu Paswan @ Manish Kumar Son of Santosh Paswan Village- Dheema @ Dhima, Po and Ps- Banmankhi, Dist- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Prabhakar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Banmankhi P.S. Case No. 429 of 2024 registered for the alleged offences under Sections 309(4) of the Indian Penal Code.

03. As per prosecution case, three miscreants robbed the informant of his motorcycle, Rs. 23,780/- cash and a mobile phone. The name of the petitioner transpired during investigation for being involved in the said occurrence.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner transpired in this case on the basis of confessional statement of co-accused and except for the



confessional statement, there is no other material to connect the petitioner with the offence as alleged. The petitioner and co-accused belong to same village and communication between them on phone could not be a basis for accusing the petitioner for involvement in the robbery. The petitioner is a student of graduation. The mother of the petitioner has made complaint to the Superintendent of Police and the DSP and other police officials of Banmankhi for falsely implicating her son in another case and for this reason, the petitioner has also been made accused in the present case. The petitioner is in custody since 04.02.2025 after remand from Banmankhi P.S. Case No. 432 of 2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that name of the petitioner came up in confessional statement of co-accused at whose instance recovery of looted motorcycle and mobile phone was made.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-I, Purnea in connection with Banmankhi P.S. Case No. 429 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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