

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31541 of 2024

Arising Out of PS. Case No.-91 Year-2022 Thana- GURARU District- Gaya

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Lalan Paswan @ Raushan Paswan, aged about 40 years, Gender-Male, S/o
Devnath Paswan @ Deonath Paswan, R/O Village- Dubai Khaira
(Khairadeep), P.S. Daudnagar, District-Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Prasad Singh, Sr. Advocate and Mr.
Bhaskar Shankar, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

9 17-03-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Guraru
P.S. Case No. 91 of 2022 dated 19.05.2022 registered for the
offence punishable under Section 395 of the I.P.C.

3. As per the prosecution case, on 19.05.2022 at about
10.00 A.M., six unknown miscreants armed with weapons
entered the bank and on the point of weapons, they took Rs.
15,59,810/- from the counter no. 2 of the bank and also took
away Rs. 2310/- from one customer. They also assaulted the
staff of the bank with fists and slaps. They also covered their
face with Gamchha and thereafter they fled away.



4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the F.I.R. has been lodged against unknown and the name of the petitioner has come in the present case during the course of investigation on the input provided by police. It is further submitted that during investigation, the mobile location of the petitioner was allegedly found near the place of occurrence. It is further submitted that except suspicion and mobile location of the petitioner found near the place of occurrence, there is no other substantive evidence to suggest the implication of the petitioner in the alleged offence. No incriminating article has been recovered from his possession. The petitioner has not been put on T.I. Parade although the informant and others have claimed to identify the miscreants. The petitioner earns his livelihood by working as daily wage labourer in Punjab and for the reason best known to the police, he has falsely been implicated in the present case. A report with respect to the stage of trial has been received vide Letter No. 286/2024 dated 24.12.2024 from the court of learned D.A.S.J.-XVII, Gaya, in which it has been reported that the present stage of the case is on charge. The petitioner has seven criminal antecedents as stated in paragraph



no. 3 of the bail petition. He is in custody in this case since 09.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Gaya in connection with Guraru P.S. Case No. 91 of 2022 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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