

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31141 of 2025

Arising Out of PS. Case No.-508 Year-2024 Thana- FATUA District- Patna

Sarwan Paswan @ Sarwan Kumar S/o Ramasray Paswan R/o Kanhaipur, P.S.-
Mokama, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Fatuha P.S. Case No. 508 of 2024, registered for the offences punishable under Sections 316(2), 318(4), 304, 111(2), 61(2) of the B.N.S., 2023.

3. Based upon the written report, the prosecution alleges that on instruction given by one Rakesh Puria, the informant contacted with the petitioner and after settlement of the deal regarding purchase of an idol at the rate of Rs. 8 lakhs, he reached at the place where he was called upon by the petitioner. As per the deal, when they reached at the scheduled place, this petitioner asked the informant to hand over the money and take your idol. In the meanwhile, the associates of



the petitioner snatched the bag containing Rs. 8 lakhs on the point of pistol and fled away on their two motorcycles. Later on, the informant found that the idol was made of brass and this way, the petitioner and other accused persons duped with Rs. 8 lakhs.

4. Learned Advocate for the petitioner taking this Court through the FIR contended that the occurrence as alleged in the FIR took place on 31.07.2024, but the FIR came to be lodged on 02.08.2024. From the narrations made in the FIR, it is evident that both the informant and the petitioner are known to each other and the purchase of the idol was done pursuant to the instruction given by one Rakesh Puria. Moreover, it is not the case that the idol was not handed over to the informant rather it is case that the idol was found to be of brass, though the same was sold on the pretext of being made of gold. There is no independent witness to the alleged occurrence and the entire case appears to be concocted. The petitioner bears fair antecedent and he undertakes that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the



FIR, coupled with the fact that both the parties are known to each other and the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.25,000/- (twenty-five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna City in connection with Fatuha P.S. Case No. 508 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

