

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33547 of 2025

Arising Out of PS. Case No.-531 Year-2024 Thana- DHAKA District- East Champaran

Amit Kumar @ Amit Paswan son of Jagarnath Paswan village- Barharwa
Siwan, Ps- Dhaka, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Raj, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Dhaka
P.S. Case No. 531 of 2024, dated 19-12-2024, registered for
offences punishable under Sections 331(4), 305, 3(5) and 317(2)
of the *Bharatiya Nyaya Sanhita, 2023*.

3. According to the First Information Report (FIR),
the prosecution case, in short, is that on the alleged date and
time of the occurrence, six bags of rice have been stolen after
unlocking the lock from the godown of the informant. It is
alleged that all the accused persons have stolen the said six bags
of rice.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. It is further submitted that the petitioner belongs to the Below Poverty Line (BPL) category, holds a valid BPL card, and has family members who are dependant on him for their livelihood. The sole allegation against the petitioner is that 50 kilograms of rice were recovered from his house. However, it is submitted that the said rice was duly procured from a *Jan Vitran* (public distribution) ration shop. It is next submitted that the petitioner has been in custody since 20.12.2024; although two other criminal cases are pending against him, the charge sheet in the present case has already been submitted.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, in connection with Dhaka P.S. Case No. 531 of 2024 subject to the following conditions:
(i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled



by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

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