

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31809 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- ALOULI District- Khagaria

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Gautam Kumar @ Gautam Paswan @ Krishna Kumar Paswan S/O Dileep
Paswan @ Pranesh Kumar R/O Vill.- Saharbanni, P.s.- Alauli, Dist.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Allauli P.S. Case No. 54 of 2025 corresponding to G.R. No. 347
of 2025 registered for the offences punishable under Sections
126(2), 115(2), 309(4), 352 of Bharatiya Nyaya Sanhita (BNS),
2023.

3. The prosecution case is to the effect that while the
informant was going on his motorcycle, three miscreants
stopped his motorcycle and started abusing. It is alleged that Rs.
15,000/- was taken away from the informant along with his
mobile phone. The informant further stated that when the
villagers came there, the said three persons fled away and the



villagers disclosed their names to be Amarjeet Yadav, Muskan Paswan and Gautam Paswan (petitioner).

4. The Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case by the co-villagers due to personal differences. It has further been stated that there is no specific allegation against the petitioner. The allegations even taken on the face value, are general and omnibus in nature. It has also been submitted that no recovery has been made from the petitioner and the mobile of the informant, during the course of investigation, is stated to have been returned by one Laxman Kumar. The learned counsel has further submitted that a similarly situated co-accused, namely, Muskan Kumar has been granted bail by a co-ordinate bench of this Court vide order dated 16.05.2025 passed in Cr. Misc. No. 29599 of 2025. Lastly, it has been submitted that the petitioner has clean antecedent and is in custody since 08.02.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the petitioner and other co-accused have snatched away the money and mobile of the informant and they were identified by the villagers.

6. Considering the aforesaid submissions and taking



into account the fact that no article has been recovered from the possession of the petitioner and also the clean antecedent and also bail granted to the similarly situated co-accused, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 54 of 2025 corresponding to G.R. No. 347 of 2025, subject to 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, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take step for
cancellation of bail bond of the petitioner.
However, the acceptance of bail bonds in terms of
the above-mentioned order shall not be delayed for
the purpose of or in the name of verification.

(Sourendra Pandey, J)

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