

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30765 of 2025

Arising Out of PS. Case No.-1185 Year-2023 Thana- GAYA MUFASIL District- Gaya

Suraj @ Kallu Paswan @ Akash Kumar Son of Prakash Paswan Village-
Manpur, Gandhi Nagar, PS-Muffasil, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner
and learned APP for the State.

2. The petitioner seeks bail in connection with S.T. No. 269 of 2024 arising out of Muffasil P.S. Case No. 1185 of 2023 instituted for the offences under Sections 399, 402, 413, 414 of the Indian Penal Code and Section 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, the some unknown miscreants have committed *dacoity* in the Amazon warehouse company.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has



committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating/looted article has been recovered from the conscious possession of the petitioner. In course of investigation, nothing adverse has come against the petitioner showing his complicity in the alleged occurrence. The petitioner has no concern with the other accused persons. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and in both of them, he is on bail and is languishing in judicial custody since 02.02.2024 without any rhymes or reason. Learned counsel for the petitioner again submits that the co-accused namely Nitish Kumar has been granted bail by the learned court below vide order dated 10.07.2024 passed in B.P. No. 4407 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.



6. From perusal of the impugned order, it appears that the charges has been framed under Sections 399, 402, 413, 414 of the I.P.C. and Sections 25(1-B)a, 26/35 of the Arms Act and, later on, one witness has also been examined by the prosecution.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with S.T. No. 269 of 2024 arising out of Muffasil P.S. Case No. 1185 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain



physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) The petitioner will not leave the territorial jurisdiction of the court below without getting the prior permission for the same.

(iv) In case of non-compliance of any of the terms and conditions mentioned herein above, the prosecution will be at liberty to move for cancellation of the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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