

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38670 of 2025

Arising Out of PS. Case No.-533 Year-2022 Thana- BARAUNI District- Begusarai

Diwakar Paswan @ Dibakar Paswan, S/O Praveen Paswan, R/O Village-
Kasimpur, P.S.- Nayagaon, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhusan Poddar, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Barauni (FCI OP) P.S. Case No. 533 of 2022, registered for the alleged offence under Sections 392 and 397 of the Indian Penal Code.

3. As per prosecution case, two miscreants stopped the motorcycle of the informant, who was carrying Rs.50,000/- and a Laptop in his bag. At gunpoint, the miscreants snatched the said bag. A third miscreant reached there on a motorcycle and all three fled away from the spot taking the bag containing cash and laptop with them. The name of the petitioner transpired during investigation for being involved in the said occurrence.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of this petitioner. The petitioner has been named in this case merely on confessional statement of co-accused Golu Kumar and Pintu Kumar and except for that, there is no material available against the petitioner showing his involvement in the crime. The petitioner was not put to any Test Identification Parade to ascertain his identity, rather the informant refused to participate in the Test Identification Parade. The petitioner is in custody since 30.03.2025 and charge sheet has been submitted. The petitioner is having antecedent of one case.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that no recovery has been shown from the petitioner and further considering the period of custody of the petitioner and submission of charge sheet, he is directed to 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 learned Chief Judicial Magistrate, Begusarai/court concerned, in



connection with Barauni (FCI OP) P.S. Case No. 533 of 2022,
subject to the conditions mentioned in Section 480 (3) of BNSS
and also 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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