

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44851 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- HALAI District- Samastipur

Rahul Paswan @ Rahul Kumar, S/o Arjun Paswan, R/o Village- Ward No. 3,
Bhagwatipur, P.S- Halai, Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Halai P.S. Case No.119 of 2024 registered for the offences punishable under Sections 309(4), 109 of the Bhartiya Nyaya Sanhita (for short 'B.N.S.') and Section 27 of the Arms Act.

3. The accused/petitioner is not named in the FIR and is in custody since 21.01.2025.

4. As per FIR, some unknown miscreants looted motorcycle and also snatched Rs. 2,45,000/- along with Aadhar card, clothes and key of the informant.

5. It is submitted by learned counsel appearing for



petitioner that name of petitioner transpired during investigation out of confessional statement of co-accused Rahul Kumar, in furtherance of which, no incriminating material recovered/surfaced during investigation as to connect petitioner *prima facie* with present crime in question. It is submitted by learned counsel that the petitioner was identified during T.I.P. by the informant conducted on 07.02.2025, where he identified this petitioner, whereas in FIR only three miscreants were said to be involved in present crime in question, who were already identified during T.I.P. conducted on 06.02.2025 and therefore, any further T.I.P. *qua* petitioner was only with *mala fide* approach to implicate petitioner falsely. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP while opposing the prayer of bail submitted that there is no any apparent reason to view



alleged T.I.P. with doubt at this stage. It is submitted that the name of this petitioner was surfaced on the basis of confessional statement of co-accused and mere stolen articles were not recovered from his possession, his involvement cannot be viewed with doubt.

7. In view of aforesaid factual submissions and by taking note of fact as petitioner was identified in T.I.P. by the informant, accordingly, the prayer of bail of above-named petitioner stands rejected herewith, for the present.

8. However, considering the custody period of petitioner, learned trial court is directed to conclude the trial of the case, preferably within a period of nine months, failing which the petitioner would be at liberty to renew his prayer for bail, if so advised.

(Chandra Shekhar Jha, J.)

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