

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46506 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- KHUTAUNA District- Madhubani

Krishna Paswan, Son of Ram Bahadur Paswan, Resident of Village- Parsahi,
P.S.- Khutauna, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Adv.
For the State : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 16-10-2025 1. Heard Mr. Hriday Narayan Harshit, learned counsel for the petitioner and Mr. Navin Kumar Pandey, learned APP for the State.
2. The petitioner seeks regular bail in connection with Khutauna P.S. Case No. 03 of 2025 dated 16.01.2025 registered for the offence punishable under Section 309(4) of the B.N.S.
3. The main submissions advanced by the petitioner's counsel are that the case relates to loot committed with a loan collection agent working in a private company who was robbed of his mobile phone, Aadhaar Card, Rs. 42,940/-, laptop, etc but against this petitioner, there is no admissible evidence, as per the prosecution, the police raided a particular orchard upon getting secret information about the presence of the accused who were allegedly involved in the commission of the alleged crime and



four miscreants were found there, among them, two managed to escape and two were arrested with some incriminating materials who later disclosed the name of this petitioner as being involved in the commission of alleged crime of loot but except this, there is nothing to show the petitioner's involvement and the said disclosure made by the apprehended co-accused is not admissible in the eyes of the law and further, the police failed to recover any part of the looted articles from the possession of this petitioner after he was taken into custody in the present matter. It is further submitted that the co-accused namely, Rupesh Kumar Paswan and Amit Kumar Paswan who were allegedly arrested from the orchard and upon whose disclosure the name of this petitioner surfaced, have been granted bail by the co-ordinate bench of this court vide order dated 11.08.2025 passed in Cr. Misc. No. 48737 of 2025 and Cr. Misc. No. 53169 of 2025 and the case of this petitioner stands on better footing from them. It is lastly submitted that the petitioner has been languishing in jail since 07.03.2025 and against him, the investigation has been completed and the material witnesses who are to be examined in the trial of the petitioner are official persons, so, the release of the petitioner on bail will not affect the prosecution in any manner.



4. Learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that there is serious allegation against this petitioner and he was involved in the alleged loot and he has one criminal antecedent.

5. Considering the above stated facts and mainly petitioner's custody period, completion of investigation and also the privilege of bail having been granted to co-accused persons namely, Rupesh Kumar Paswan and Amit Kumar Paswan upon whose disclosure made by them before the police the name of this petitioner surfaced as being involved in the alleged crime of loot but except this, the prosecution has not shown any other incriminating material against him, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Khutauna P.S. Case No. 03 of 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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