

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49313 of 2025

Arising Out of PS. Case No.-151 Year-2025 Thana- CHENARI District- Rohtas

1. Jwala Paswan @ Bal Karan Paswan S/o- S/o- Awadhesh Paswan @ Ram Awadhesh Paswan Village- Ughani PS-Chenari District- Rohtas
2. Kaju Sharma @ Rohit Kumar Sharma @ Kaju Shankar @ Rohit Kumar Shankar S/o- Ram Pyare Sharma Village- Ughani PS-Chenari District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

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

ORAL ORDER

2 31-07-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Chenari P.S. Case No. 151 of 2025 instituted for the offence
under Sections 303(2) & 3(5) of the Bharatiya Nyaya Sanhita,
2023.

3. The informant – *Mahanth* of ‘*Gupta Dham
Mandir*’, reported that on 12.04.2025 around 8:00 P.M., he saw
three known boys and others loitering near the temple. When
questioned, they said they would leave, and the informant went
to sleep. Later at 12:30 A.M., upon hearing dogs’ bark, he found
that four idols of the temple were stolen.



4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 22-04-2025. Petitioners bear no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Nothing has been recovered from the possession of the petitioners. There is no eye witness to the occurrence. Recovery is allegedly made from the possession of co-accused, namely, Chandan Kumar @ Nandlal. Save and except confessional statement of the petitioners, there is absolutely no material against the petitioners.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is submitted by referring to the impugned order that petitioners sold the idols to accused, namely, Chandan Kumar @ Nandlal and Chotelal Kumar to the tune of Rs. 6,100/-.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, nature of accusation and there being no recovery from the petitioners' possession, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chenari P.S. Case No. 151 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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