

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55173 of 2025

Arising Out of PS. Case No.-278 Year-1981 Thana- LAKHISARAI District- Lakhisarai

Kaleshwar Paswan S/o Late Babulal Paswan R/o Village- Morna, P.S.-
Amhara, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kr. Sinha, Advocate

Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 05-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Lakhisarai P.S. Case no.278 of
1981 registered under section 395 of Indian Penal Code.

3. The allegation against the petitioner in the F.I.R
was that of committing offence of *dacoity* in the house of
informant.

4. Learned counsel for the petitioner submits that
although the case is of the year 1981 and the petitioner was
falsely implicated in the case due to some enmity, however he
was not arrested at the spot and no incriminating article has
been recovered from his possession. It is submitted that as of



now the petitioner is old man aged about 70 years and he is in custody since 01.02.2025 and charge-sheet has been submitted in the case.

5. From the documents on record, particularly the order sheet of the learned trial Court, it appears that the petitioner was initially granted bail. However, due to his non-cooperation, his bail bonds were cancelled on 01.10.2024 and coercive processes under Sections 82 and 83 were thereafter the petitioner surrendered before the learned Court concerned.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State.

7. Taking into consideration the fact that petitioner has indeed misused the privilege of bail, but considering that he is a 70 years old man who has been in custody since 01.02.2025 and that the investigation has already concluded, hence no useful purpose would be served by keeping him further behind bars, the petitioner is directed to be enlarged on bail in connection with Lakhisarai P.S. Case no.278 of 1981 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the condition that he would



appear on each and every date fixed in the trial and in case of non-cooperation or absent on two consecutive dates without any sufficient reason, the learned trial Court would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

Harsh/-

U		T	
---	--	---	--

