

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55100 of 2025

Arising Out of PS. Case No.-164 Year-2022 Thana- BELA District- Sitamarhi

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Jangali Paswan S/O Hirwa Paswan Resident of Punarwas, Nagarpalika
Lalbandi, Ward No.- 02, P.S- Lalbandi, District- Sarlahi, Nationality- Nepal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in a case registered for

the offence punishable under Sections 395 of the Indian Penal
Code, Section 27 of the Arms Act and Section 3/4 of the
Explosive Substance Act.

3. The allegation in the first information report is

that around 20-25 miscreants entered into the house of the
informant carrying lethal weapons and committed dacoity
putting the family members in the fear of death and took away
cash to the tune of Rs.3,50,000/- and some gold and silver
ornaments, as well as mobile.

4. Learned counsel for the petitioner submits that it

would be apparent from the first information report that the



same has been lodged against 20-25 unknown miscreants. The name of the petitioner has surfaced during the course of investigation on the confessional statement of accused persons recorded before the police which has no evidentiary value. The informant and the family members did not take part in the Test Identification Parade as has been noted in the bail rejection order of the learned Sessions Judge. Further, no incriminating articles were recovered from the possession of the petitioner and he has been languishing in custody since 15.02.2024 and charges have already been framed as against him. The learned counsel has additionally submitted that it is on account of his criminal antecedent that his name has also been made to surface in the present case and has thus been remanded.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the first information report as also on the ground of large number of criminal antecedents of the petitioner. In response, it has been submitted that the petitioner has been granted bail in few of the cases while some case are still pending for consideration.

6. Taking into account the facts and circumstances and also considering the fact that the case rests on confessional statement of accused before the police which would have no



evidentiary value and has remained in custody since 15.02.2024 without any progress in the case as till date only charges have been framed and no witness has been examined, the above named petitioner is directed to be enlarged on bail 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 below where the case is pending/successor Court in connection with Bela P.S. Case No.164 of 2022 subject to the following conditions :

“(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.”

(Soni Shrivastava, J)

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