

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54922 of 2025

Arising Out of PS. Case No.-58 Year-2022 Thana- SHERGHATI District- Gaya

Hirdaya Paswan S/o Kamal Paswan R/o Vill- Kamaldah, P.S.- Paraiya, Distt-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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

ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sherghati (Dobhi) P.S. Case No. 58 of 2022, instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that co-villager Dipak Kumar and three unknown persons on the point of pistol have snatched motorcycle of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Nitish Kumar and the same has got no evidentiary value. It is further submitted that neither any looted article has been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case rather the looted motorcycle has been recovered from the possession of co-accused person. The petitioner is in custody since 19.02.2025 and has got five criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 12.08.2025 passed in Cr. Misc. No. 53788 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs.



15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sherghati (Dobhi) P.S. Case No. 58 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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