

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60129 of 2025

Arising Out of PS. Case No.-498 Year-2023 Thana- ROSERA District- Samastipur

Birju Paswan S/O Bhatu Paswan R/O Vill.- Chakmahuli, P.S.- Rosera,
District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

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

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

ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Rosera
P.S. Case No. 498 of 2023, instituted for the offences punishable
under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that some
unknown miscreants looted Rs. 93,854/- along with a tab from
the informant on the point of pistol and fled away from the place
of occurrence.

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 is not named in the FIR. Name of the petitioner has transpired in this case on the basis of self-confession made before the police in Rosera P.S. Case No. 611 of 2023 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. The petitioner has been remanded in this case on 18.12.2024 and has got seven 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 11.08.2025 passed in Cr. Misc. No. 50150 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 Rosera P.S. Case No. 498 of 2023, 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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