

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61928 of 2025

Arising Out of PS. Case No.-89 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Prabhash Paswan @ Prabhat Kumar S/O Fekan Paswan R/O Village- Kothiya,
P.S- Bhairav Asthan, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Adv.

For the Opposite Party/s : Mrs.Rita Verma, APP

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

ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T. No.
392 of 2024 arising out of Bhairavsthan P.S. Case No. 89 of
2023 instituted for the offences under Section 394 of the Indian
Penal Code.

3. Prosecution case, in short, is that when the
informant along with his cousin was on his way, he was
accosted by four unknown miscreants, who on the point of
pistol snatched their mobile phones and motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case on the basis of his confessional statement of the co-accused recorded before the police which has no evidentiary value in the eye of law. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted articles. The co-accused person has already been granted bail by this Bench vide order dated 12.03.2024 passed in Cr. Misc. No. 15578 of 2024. Co-accused Ritik Kumar has also been granted bail by this Court vide order dated 20.07.2024 passed in Cr. Misc. No. 52854 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.07.2023 and has two criminal antecedents. Learned counsel for the petitioner further submits that the cognizance has been taken and the charge has also been framed under Section 395 and 412 of the I.P.C.

5. Learned A.P.P. 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, claim based on parity as also 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 on furnishing



bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. No. 392 of 2024 arising out of Bhairavsthan P.S. Case No. 89 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

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

