

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61319 of 2025

Arising Out of PS. Case No.-43 Year-2024 Thana- Bahera District- Gaya

Akhilesh Paswan @ Gora Paswan @ Chintu Paswan Son of Jaidun Paswan
R/o Village - Pindri, P.S. - Hunterganj, Dist. - Chatra, (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bahera
P.S. Case No. 43 of 2024 instituted for the offences under
Section 392 of the Indian Penal Code.

3. Prosecution case, in short, is that, three miscreants
robbed the informant of Rs. 38,430/-, a tab, phone and other
documents.

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 confessional statement of
the co-accused Sanjit Paswan recorded before the police which



has no evidentiary value in the eye of law. Except confessional statement of the co-accused Sanjit Paswan, there is nothing adverse against the petitioner in the entire record of the case. No incriminating/looted article has been recovered from the conscious possession of the petitioner. The petitioner has not been put to Test Identification Parade. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.11.2024 and has seven criminal antecedents. There is no compliance of Section 103 of the B.N.S.S. Other co-accused has been granted bail by this Court vide order dated 27-02-2025, passed in Cr. Misc. No. 10275 of 2025. Co-accused Rahul Kumar Das has also been granted bail by this Court vide order dated 23.06.2025 passed in Cr. Misc. No. 8303 of 2025. Charge-sheet has been submitted in this case.

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 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of Court below/concerned Court in connection with Bahera P.S. Case No. 43 of 2024, 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)

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