

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66997 of 2025

Arising Out of PS. Case No.-569 Year-2024 Thana- GARKHA District- Saran

Birju Paswan @ Birju Beshmukh @ Birju Deshmukh, Son of Ramjeevan Paswan @ Ramjiwan Paswan Resident of Village - Mirjapur, Police Station - Sonpur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-09-2025 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Garkha P.S. Case No. 569 of 2024, dated 07.09.2024, registered under Section 303(2) of the B.N.S.

3. The prosecution case, in brief, is that on 06.09.2024 at around 12:20 P.M, on inspection at Rampur site, the informant found that 48 batteries from battery bank of the said tower along with wire was stolen.

4. It is submitted by the learned counsel for the petitioner that F.I.R. is against unknown person and name of the petitioner has surfaced on the confessional statement of co-accused Ashok Das, who is in custody and no incriminating materials is said to have been recovered from the house of the



petitioner, on search made by the Police. Learned counsel for the petitioner fairly submits that one criminal case is pending against the petitioner under Section 498(A) of the I.P.C., in which the petitioner is on bail.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts that F.I.R. is against unknown person, name of the petitioner has surfaced on the confessional statement of co-accused Ashok Das, who is in custody and no incriminating materials is said to have been recovered from the house of the petitioner, on search made by the Police, let the above named petitioner, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned J.M., 1st Class, Saran at Chapra in connection with Garkha P.S. Case No. 569 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;



(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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