

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69058 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- SUPAUL District- Supaul

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Raushan Kumar Swarnkar @ Raushan Kumar S/O Late Madhusudan Swarnkar R/O Village- Veena, Ward no. 06, P.S.- Supaul, District- Supaul, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 28-11-2025 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Supaul P.S. Case No. 291 of 2025, instituted for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that four unknown persons stole bag of the informant from auto near Lohia Nagar Chowk. The bag contained gold and silver jewellery worth about Rs. 10 lakh and Rs. 8,000/- in cash.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this 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 confessional statement made by co-accused, namely, Sanjay Kumar and the same has got no evidentiary value. It is next submitted that the co-accused person sold the stolen jewellery to the petitioner. The petitioner is a goldsmith by profession and he has got no knowledge that the same is a stolen one. The petitioner is in custody since 17.06.2025 and has got two criminal antecedents. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 21.11.2025 passed in Cr. Misc. No. 81652 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 Supaul P.S. Case No. 291 of 2025, 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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