

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78571 of 2024

Arising Out of PS. Case No.-384 Year-2022 Thana- BARGAINIA District- Sitamarhi

Jangali Paswan @ Sunil, Son of Hirwa Paswan R/o Navalpur Punarwas
Nagar, Palika Lal Bandi, Ward Number 02 Thana- Lal Bandi, Dist.- Sarlahi
(Nepal). Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

15 03-12-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Baigania
P.S. Case No. 384/2022 registered for the offence under Section
395 of the Indian Penal Code.

3. The accused/petitioner is not named in the F.I.R. and
is in custody since 23.02.2023.

4. As per FIR, unknown miscreants committed dacoity in
the house of the informant and looted gold ornaments from the
informant's wife Almirah and also cash of Rs. 10,000/--12,000/-
from the house of the informant and after committing dacoity the
hard disk of the CCTV installed in the house was also damaged by
the miscreants.

5. Learned counsel appearing on behalf of the petitioner
submitted that during course of investigation petitioner was



apprehended and it is alleged that on his confession, five jewellery boxes (without actual jewellery) were recovered from a nearby Chikna Tola Orchard. It is pointed out that admittedly no gold jewellery was recovered from the possession of this petitioner or out of his confession and, furthermore, the box which alleged to be recovered out of his confession was never put on material TIP as to identify by the informant to connect *prima facie* the accused petitioner with crime in question. It is submitted that the petitioner found involved in eleven criminal cases, where in maximum of cases, he is on bail and these criminal cases is also one of the reason for suspicion to implicate this petitioner falsely with present crime in question. It is also pointed out that petitioner was also not put on TIP as yet.

6. While arguing further, it is submitted that petitioner remains in custody since 23.02.2023 i.e. about two years and nine months and during this period of his custody only one prosecution witness was examined, same also appears confirmed from report of learned trial court as made available to this Court through letter no. 132/2025 dated 11.09.2025, suggesting that the trial of this case is not likely to conclude in near future.

7. Learned APP opposed the prayer of bail.

8. Considering the aforesaid factual submissions and by



taking note of fact as except suspicion arising out of recovery of jewellery box, which *prima facie* not appears put before the informant for its identification, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 23.02.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Bairgania P.S. Case No. 384/2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-1 cum Special Judge, Sitamarhi/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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