

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75063 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- Panchanpur District- Gaya

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1. Ashok Paswan S/o Parichhan Paswan @ Pariksh Paswan R/o Village-Dariyapur, P.S.- Belaganj, District- Gaya
 2. Pankaj Kumar @ Pankaj Paswan S/o Parichhan Paswan @ Pariksh Paswan R/o Village- Dariyapur, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Adv

For the Opposite Party/s : Mr.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are in custody in connection with
Panchanpur P.S Case No. 23 of 2025 registered for the offences
punishable under Sections 305 and 331(4) of the BNS, 2023

3. As per allegation in the FIR, some unknown
miscreants have committed theft in the house of the informant in
his absence

4. Learned counsel for the petitioners submits that
petitioners have falsely been implicated in this case. He next
submits that charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners are not named in the FIR. Name of the petitioners have transpired in this case only on the basis of suspicion. It is further submitted that no any looted article has been recovered from the possession of the petitioners. The petitioners are in custody since 08.05.2025 having eleven criminal antecedent. He further submits that other co-accused has been granted bail vide order dated 15.10.2025 in Cr. Misc. No. 72497 of 2025.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 21.08.2025, it appears that nothing has been recovered from the possession of the petitioners. Moreover, FIR has been lodged against unknown accused persons and petitioners name has been figured during the investigation and considering all aspect of the matter and the fact that similarly situated co-accused has been granted bail vide order dated 15.10.2025 in Cr. Misc. No. 72497 of 2025., let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VIII, Gaya in connection with Panchanpur P.S Case No.



23 of 2025 subject to the following condition:

- One of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;
- The petitioner 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 bail bond by the Trial Court itself.
- The petitioner if tried to tamper any evidence or the witnesses in this case, the prosecution will be at liberty to take steps for cancellation of his bail bonds.

(Ramesh Chand Malviya, J)

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