

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81540 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- Bankebazar District- Gaya

Gulshan Kumar @ Rifle Paswan S/O Devendra Paswan R/O Village- Bechu
Bigha (BechuBigha), P.S.- Bankey Bazar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate Mr. Deepak Kumar, Advocate Mr. Gaurav Raj, Advocate
For the Opposite Party/s	:	Mr. Nityanand Tiwary, APP

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

ORAL ORDER

2 16-12-2025 Heard Mr. Diwakar, learned counsel for the
petitioner and Mr. Nityanand Tiwary, learned APP for the State.

2. The petitioner seeks bail in connection with Bankey
Bazar P.S. Case No. 22 of 2025, instituted for the offences
punishable under Sections 331(4) and 305 of the Bharatiya
Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that theft of one
motorcycle, gold ornaments and other articles has been
committed in the house of the informant which was closed for
few days.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present 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, Rohit Kumar and the same has got no evidentiary value. It is further submitted that no any looted article has been recovered from the possession of the petitioner. The petitioner is in custody since 20.03.2025 and has got six criminal antecedents.

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 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 Bankey Bazar P.S. Case No. 22 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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