

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88673 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- MOKAMAH District- Patna

=====

Pawan Kumar Son of Raj Kumar Paswan Resident of Village - Maharana, P.S.
- Rajoun, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Adv.

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

=====

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

ORAL ORDER

4 03-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mokama P.S. Case No. 68 of 2024 instituted for the offence
under Sections 395 & 397 of the Indian Penal Code.

3. Prosecution case in short is that truck driver on
02.03.2024, while returning from Chhapra, was accosted with
seven armed miscreants who were in a white Scorpio, who have
assaulted him, and hijacked the vehicle. Miscreants also robbed
him of Rs.45,000/- and a mobile phone before abandoning him
and his assistant near a railway bridge.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05.03.2024 and was



remanded in this case on 21.09.2024. The petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to enmity and grudge. Petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of his self-confessional statement, which has no evidentiary value in the eye of law. There is no recovery of incriminating material from the possession of the petitioner. There is no compliance of Section 103 of the B.N.S.S. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to impugned order, it is submitted that it is the petitioner from whom there is recovery of truck in question and he has confessed his guilt in his confessional statement. He further submits that the prayer for regular bail of the co-accused Sharwan Yadav has already been rejected by this Court vide order dated 28.03.2025 passed in Cr. Misc. No. 18323 of 2025.

7. Considering the aforesaid facts and circumstances of the case, there being recovery of truck from the possession of



the petitioner, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, *rejected*.

8. The learned Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

