

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84632 of 2025

Arising Out of PS. Case No.-561 Year-2021 Thana- SURSAND District- Sitamarhi

=====

Lalbabu Paswan @ Lal Babu Paswan @ Rahul S/O Late Hariram Paswan,
Resident of Village- Lalbandi Nagarpalika, ward no. 2, P.S.- Lalbandi,
Distirct- Sarlahi, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madhubala Verma, Advocate
For the State : Mr. Nand Kishore Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-12-2025 Heard Ld. counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with
Sursand P.S. Case No. 561 of 2021 dated 09.12.2021, registered
for the offences punishable under Sections 399, 402 and 414 of
the Indian Penal Code, Sections 25(1-b)a, 36 and 35 of the Arms
Act and Sections 8 and 20(b)(ii)(c)/22 of NDPS Act.

3. The petitioner had previously preferred similar
regular bail petition bearing Cr. Misc No. 68867 of 2022 in
connection with Sursand P.S. Case No. 561 of 2021, whereby
regular bail petition of the petitioner was dismissed vide order
dated 20.12.2022 on merit and learned Trial Court was directed
to expedite the trial.



4. However, even after custody of the petitioner for four years and ten months since 10.12.2021, the trial has not been concluded and such long incarceration without conclusion of the trial would be glaring violation of right to life as granted under our Constitution.

5. Considering the length of the custody and non-conclusion of the trial, **this application is allowed**, directing the petitioner, above named, to be enlarged on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. District and Additional Sessions Judge-II, Sitamarhi in connection with Sursand P.S. Case No. 561 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/Court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. Court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding the previous bail petition is wrong, Ld. Court below shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

ravishankar/-

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

