

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20497 of 2026**

Arising Out of PS. Case No.-31 Year-2025 Thana- SONNAGAR RAIL P.S. District- Gaya

Rajesh Paswan Son of Vishambhar Paswan @ Bishmbhar Paswan Resident of  
Village -Ganguar P S- Barachatti Distt- Gaya JI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      26-03-2026                      Heard Mr.Vijay Kumar, learned counsel for the  
  
petitioner and Mr.Pawan Kumar Chaurasia, learned Additional  
  
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since  
10.09.2025 in connection with Sone Nagar Rail P.S. Case No.  
31 of 2025, F.I.R. dated 09.09.2025 registered for the offence  
punishable under Sections 317(5) of BNS.

3. The case relates to recovery of nine mobile from  
possession of the petitioner.

4. Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case.  
Altogether nine mobile set have been recovered from the  
Railway Platform at Gaya Jee and petitioner has been made  
accused in the present case merely on the basis of suspicion.



From a bare perusal of the FIR although there is seizure list which suggests that the recovery has been made from possession of the petitioner but there is no sign on the seizure list of the petitioner which suggests that the seizure list was prepared in his presence and the petitioner has been made accused in the present case due to his previous criminal antecedents and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 10.09.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Rail Gaya Jee in connection with Sone Nagar Rail P.S. Case No. 31 of 2025, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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