

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43417 of 2026

Arising Out of PS. Case No.-232 Year-2025 Thana- BARAHAT District- Banka

Harish @ Haresh Paswan Son of Manik Chandra Paswan Resident of Village
- Gangti, Police Station - Chandramandih, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2026 Heard Mr.Akhauri Kamal Kishore Sahay, learned
counsel for the petitioner and Mr.Anuj Kumar Shrivastava,
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
11.04.2026 in connection with Barahat P.S. Case No. 232 of
2025, F.I.R. dated 25.07.2025 registered for the offence
punishable under Sections 331(4),305,61(2) of BNS.

3. The prosecution case, as per the FIR, in brief is that
on the night of 24/25.07.2025 at about 1:45 am, unknown
persons entered his house by climbing the roof and breaking two
doors. They broke open two almirahs and committed theft of
about 750 grams of gold jewellery, 200 grams of silver
ornaments, and Rs. 4,60,000 cash. When the informant and his
family raised an alarm, the miscreants fled through the field



behind the house. During investigation, suspicion arose against his cousin Ravi Chaudhary, who had recently visited the house and was familiar with their valuables. The informant alleged that Ravi, along with his five associates, conspired and executed the theft.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Initially the petitioner was not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Chano Paswan and till date no TIP has been conducted by the prosecution, the police, after investigation submitted the chargesheet against the petitioner and the petitioner is in custody since 11.04.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries seven more cases other than the present one but fairly submits that out of seven cases, the petitioner is on bail in five cases and rest two cases are pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not



named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person and till date no TIP has been conducted by the prosecution, 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 Chief Judicial Magistrate, Banka in connection with Barahat P.S. Case No. 232 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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