

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79090 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- INDUSTRIAL District- Bhagalpur

Badal Paswan, Male, aged about 30 years, Son of Baidyanath Paswan
Resident of Village - Jurabganj, P.S.- Kodha, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagalpur Industrial Area P.S. Case No. 102 of 2025 instituted
for the offences punishable under Section 309(4) of the BNS.

3. As per allegation in the FIR, the informant namely
Soni Kumari came at Zeromile Chowk to see-off her daughter
in the school but, two boys on a black coloured motorcycle
came and snatched a gold chain from her neck and fled away
towards Toll-plaza.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case only on the basis of
suspicion. He submits that petitioner is not named in the FIR
and his name has been surfaced in this case during course of



investigation on the basis of C.C.T.V. footage. He further submits that the allegation against the petitioner is totally false, fabricated and concocted. He next submits that the petitioner has not put on Test Identification Parade till date. He lastly submits that the gold chain was recovered from the room of the petitioner, which was identified by the informant. He again submits that petitioner was arrested with the motorcycle by Katoria Police and on the information given by Katoria Police, the petitioner has been remanded in this case. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 02.08.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the FIR, case diary and also perused the impugned order dated 26.09.2025 passed by the learned Principal Sessions Judge, Bhagalpur it appears that allegation against this petitioner is specific that the recovery is from the house of the petitioner and the informant has identified the same. From perusal of the records, it also appears that on the basis of written report of the informant, FIR has been registered under Section 309(4) of the BNS against unknown persons. During investigation, the looted golden chain has been



recovered from the room of the present petitioner and he has also identified in CCTV footage, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

8. However, the petitioner may renew his prayer for bail before the Trial Court after completion of one year in custody.

(Ramesh Chand Malviya, J)

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