

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85834 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- Bankebazar District- Gaya

Gulshan Kumar @ Rifle Paswan, S/o Devendra Paswan, R/o Village - Bechu
Bigha (Bechubigha), P.S.- Bankey Bazar, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Bankey Bazar P.S. Case No. 9 of 2025, registered for the offences punishable under Sections 305(e) and 334(1) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that eight locks and four cupboards (almirah) were broken and a cash amount of Rs.11,495/- was stolen.

4. The learned counsel for the petitioner submits that the petitioner is not named in the FIR and it was during the course of investigation and on the confessional statement of co-accused Rohit Kumar, the name of the petitioner has transpired. It has next been submitted that there is no evidence on record to



connect the petitioner to the present case and the police implicated the petitioner in the present case only because he carries a long list of criminal antecedents. It has next been submitted that the petitioner is an accused in six other criminal cases and he is on bail in two such cases. It has lastly been submitted that the petitioner is in custody since 20.03.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, 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 the learned court below where the case is pending/successor court in connection with Bankey Bazar P.S. Case No. 9 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall



be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Gaya within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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