

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89590 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- LALGANJ District- Vaishali

Suraj Paswan @ Suraj Kumar Son of Bijendra Paswan village -Garam Rani
Pokhar, Police Station- Lalganj, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Sunil Prasad, learned counsel for the

petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned APP

for the State.

2. The petitioner is apprehending his arrest in
connection with Lalganj P.S. Case No. 41 of 2025, F.I.R. dated
28.02.2024 registered for the offences punishable under Sections
457 and 380 of the Indian Penal Code.

3. Allegation against the petitioner is of committing
theft at the house of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R. that
the date of occurrence as alleged in the F.I.R. is 25.02.2024 and
the present F.I.R. was instituted on 28.02.2024 after delay of three



days without giving any explanation of delay. It appears from the F.I.R. that merely on the basis of suspicion, the informant has incorporated the name of the petitioner merely on the ground that earlier the petitioner has been made accused in Lalganj P.S. Case No. 204 of 2022 and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and even no one of the eye witness of the alleged occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts that the F.I.R. was instituted after delay of three days and the petitioner has been made accused merely on the basis of suspicion, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/Court concerned in connection with Lalganj P.S. Case No. 41 of 2025, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure/
Section 482(2) of BNSS, 2023 and with other following conditions
:-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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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