

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89974 of 2025

Arising Out of PS. Case No.-27 Year-2021 Thana- CHANDAUTI District- Gaya

Binod Paswan S/O Ranjan Paswan @ Rajan Paswan R/O Village- Kasiyadih,
P.S- Wazirganj, Distt.- Gayaji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Chandauti P.S. Case No. 27/2021 registered for the offences
punishable under Sections 457, 380 and 395 of the B.N.S.

3. As per prosecution case, all the family members
went to sleep after taking the dinner. Upon hearing the noise, the
informant woke up and saw that 6-7 miscreants were present in the
house. On raising alarm, all the accused persons fled away. Some
gold and silver ornaments, two mobile phones and cash of
Rs.15,500/- were missing from the house, which were allegedly
looted by 6-7 unidentified miscreants. FIR has been lodged against
unknown.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as



alleged in the FIR. The petitioner is not named in the FIR and his name surfaced in this case on the basis of confessional statement of co-accused Anuj Paswan. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner is languishing in custody since 01.11.2025 and bears four criminal antecedents in which he is on bail. The petitioner is not apprehended on the spot and no incriminating article has been recovered from the conscious possession of the petitioner. No T.I.P has been conducted uptill now. The petitioner has been implicated in this case just because he has four criminal antecedents. He orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. On similar and identical allegation co-accused Arjun Paswan and Bhutali Paswan have already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.62833/2021 and on the principle of parity the petitioner also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that during course of investigation the name of the petitioner surfaced in this case and therefore, he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case,



period of custody, on similar and identical allegation co-accused have already been granted bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Chandauti P.S. Case No. 27/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

amitkumar/-

U		T	
---	--	---	--

