

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5359 of 2026

Arising Out of PS. Case No.-129 Year-2025 Thana- ROSERA District- Samastipur

Ajad Paswan @ Aajad Kumar Son of Nand Lal Paswan Resident of Village-
Panchupur, P.S.- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Raja Ram Mishra, Advocate
For the State : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-04-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 303(2), 317(2) and 3(5) of B.N.S..

3. As per prosecution case, it is alleged that in the absence of the informant, the household items of his home were stolen by some unknown persons. However, later on, some of the stolen property was recovered from the possession of one Tuntun Mahto and as per his confessional statement, the name of the petitioner and other co-accused persons transpired.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in



this case merely on the basis of confessional statement of co-accused Tuntun Mahto. Save and except confessional statement, there is no material on record to show the complicity of this petitioner in the alleged offence. No stolen articles were recovered from possession of this petitioner. It is further submitted that similarly situated co-accused persons has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 27.08.2025 passed in *Cr. Misc. No. 57561 of 2025*. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 A.C.J.M.-I, Rosera,



Samastipur in connection with Rosera P.S. Case No. 129 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S., along with the following conditions:-

- “(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.
- (ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.”

(Prabhat Kumar Singh, J)

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