

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3319 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

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Vishal Paswan Son of Bhushan Paswan, Resident of village- Pokhra
Mohalla- Subhash Chowk, P.S.- Hajipur Town, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smt. Anuradha Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 11-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Industrial
Area P.S. Case No. 33 of 2015 registered for the offence
punishable under Section 392 of the Indian Penal Code.

Allegedly, three motorcycle borne criminals overtook
the vehicle of the informant, snatched his bag containing cash of
Rs. 10,03,935/-, one demand draft of Rs. 7,34,966/- and other
documents. During investigation the name of the petitioner
transpired and he confessed his guilt also. On the basis of
confessional statement, some amount was also recovered from his
rented room.

Submission is of false implication and that the petitioner is in custody since 15.07.2015 but he has not been put on TIP, nothing has been recovered from his conscious possession, his confessional statement has got been recorded after adopting third degree method, the petitioner has been remanded in this case from another case where allegedly, the confessional statement was got recorded, the recovered amount has not been put on TIP and, as such, he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail but fairly submits that from the report of learned court below, dated 28.03.2016, it is evident that no report regarding recovery of the amount was sent in the court below.

In the facts and circumstances stated above, considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Industrial Area P.S. Case No. 33 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two

consecutive dates on his part without any reason shall disentitle
the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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