

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68834 of 2018

Arising Out of PS. Case No.-176 Year-2018 Thana- DELHA District- Gaya

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Rakesh Kumar @ Bittu Paswan, Son of Ajay Paswan, Resident of Mohalla-
Bageshwari Gumti, near Bambaba Asthan, P.S.- Delha, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Delha P.S. Case No. 176 of 2018 registered for
the offence punishable under Sections 341, 323, 379, 384/34 of
the Indian Penal Code.

Informant has alleged that when he was returning
with his pick up van which was being driven by him, in the
meantime, 8-10 miscreants came and abused and assaulted and
snatched away his money bag containing Rs. 8,000/- as well as
Adhar Card, driving licence. The name of petitioner has
surfaced in this case on statement made by locals who identified
two miscreants as Pankaj Paswan and Bittu Paswan (petitioner).

It has been submitted on behalf of the petitioner that



similarly placed FIR named accused Pankaj Paswan has been granted bail by this Court as contained in Annexure-2 to this petition. Petitioner has no criminal antecedent and he is in custody since 30.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Gaya, in connection with Delha P.S. Case No. 176 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

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

(S. Kumar, J)

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