

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72660 of 2018

Arising Out of PS. Case No.-496 Year-2018 Thana- KAHALGAON District- Bhagalpur

Mithun Paswan son of Vijay Paswan @ Bijay Paswan resident of Village-
Pakki Sarai, P.S. Kahalgaon (Gogha), District Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Abhishek

For the Opposite Party/s : Mr. Sri Atul Chandra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 06-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Kahalgaon (Gogha) P.S.**

Case No. 496 of 2018 registered for the offence punishable under Section 392 of the Indian Penal Code and later on sections 395 and 412 of the IPC was added.

Informant is the driver of Truck who has filed a written complaint that on 28.07.2018 after unloading the goods he was returning to Bhagalpur along with co-driver Md. Ushman Khan and in the way the Truck was intercepted by 3 to 4 unknown miscreants who overpowered them on the strength of pistol and snatched Rs. 50,400/- and mobile from their possession.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on the



basis of confessional statement of co-accused persons Ravi Kumar and Puran Mandal as they are having inimical terms with him. Nothing has been recovered from the possession of the petitioner. Rs. 4500/- was recovered, however, it is submitted that it was his own money. Petitioner has got no criminal antecedent and is in custody since 01.08.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Bhagalpur**, in connection with **Kahalgaon (Gogha) P.S. Case No. 496 of 2018**, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

ranjan/-

U			
---	--	--	--

