

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55277 of 2018

Arising Out of PS.Case No. -125 Year- 2018 Thana -AMAS District- GAYA

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Kundan Paswan S/o Raj Kumar Paswan, R/o Vill.- Pathara, P.S.- Amas,
District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Deepak Kumar, advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 412/34 of the Indian Penal Code registered
in connection with Amas P.S. Case No. 125 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in connection with recovery of Rs. 86,000/- from his
house said to form part of the looted money of Rs. 25,00,000/- from
the employees of Toll Plaza, Amas. It is submitted that just a few
days prior to the date of alleged occurrence, the petitioner's father
had sold land against which 91,000/- has been received on the date
of entering into agreement for sale on 22.05.2018 (Annexure-2).
The purchaser of the land in question has also affirmed such fact on
affidavit (Annexure-3). The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the
facts and circumstances of the case, in the event of the petitioner's
arrest or surrender before the court below within six weeks from



the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, District- Gaya in connection with Amas P.S. Case No. 125 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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