

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76675 of 2018

Arising Out of PS. Case No.-250 Year-2018 Thana- BALIYA District- Begusarai

Deva Paswan @ Dev Kumar Paswan Son of Janardan Paswan @ Janardhan Paswan, Resident of Village- Bhagatpur, Police Station- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rai Mukesh Sharma

For the Opposite Party/s : Mr.Sri Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Ballia P.S. Case No. 250/2018 registered for the offence punishable under Sections 401, 413, 414, 411 of the Indian Penal Code and 25(1-B)a, 26 of Arms Act.

Informant is the Police Officer, who in his self statement has stated that he received secret information that some miscreants were planning to commit theft near the UCO Bank, on such information, he along with other police personnel reached there and on seeing police party, miscreants assembled there tried to escape but one Raushan Chaudhary was apprehended and he disclosed the names of petitioner other



miscreants. On search in the house of petitioner 2 Pc. Iron, multimedia player, Usha Fan, Logitech Board, mouse, an adopter, HP printer and hand pump has been recovered.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case merely due to previous enmity and local village politics. His name has surfaced in this case on the basis of confessional statement of co-accused Raushan Chaudhary who was apprehended on the spot. It has been further submitted that there is case and counter case. Petitioner is in custody since 19.09.2018.

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 Chief Judicial Magistrate, Begusarai, in connection with Ballia P.S. Case No. 250/2018 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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