

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4699 of 2019

Arising Out of PS. Case No.-149 Year-2017 Thana- MAINATAND District- West Champaran

Bhola Paswan, Son of Late Yogendra Paswan, Resident of Village –
Chiutaha, P.S.- Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
18.03.2018 in a case registered for the offence punishable under
Section 394 of the Indian Penal Code.

The prosecution case as per the written report of
Shambhu Prasad submitted to SHO, Mainatand Police Station is
to the effect that on 10.12.2017, after collecting money the
informant was traveling towards Sikarpur along with Md. Samin
on a motorcycle, when three accused persons suddenly assaulted
them with danda, as a result, they fell down. It is alleged that



they snatched Rs.1,70,000/- from the informant and escaped from the scene, leading to the registration of the F.I.R. against three unknown persons.

It is submitted by learned counsel for the petitioner that the FIR was registered against three unknown persons. The name of the petitioner sprang up during investigation in the confessional statement of co-accused Shashi Kumar Sharma, and the petitioner has not been put on T.I. Parade. It is further submitted that there is no recovery made from the conscious physical possession of the petitioner and similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 11.10.2018 passed in Cr. Misc. No. 58501 of 2018.

Learned APP for the State submits that the name of the petitioner sprang up during investigation.

Considering the fact that there is no recovery made from the petitioner and similarly situated co-accused has been granted bail by different Co-ordinate Bench of this Court, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **CJM, West Champaran, Bettiah** in connection with **Mainatand P.S. Case**



No. 149 of 2017.

Since the petitioner has serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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