

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8340 of 2019

Arising Out of PS. Case No.-299 Year-2018 Thana- BUXAR MUFFSIL
District- Buxar

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Chhedi Paswan @ Tuna Paswan age-32 years (Male) Son of Sri Bhagwan Paswan @ Dagur Paswan, Resident of Village – Mandah, P.S. Buxar (Muffasil), District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bachan Jee Ojha

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 399, 402, 414 of the Indian Penal Code and Section 25(1-B)a/35 of the Arms Act registered in connection with Buxar (Muffasil) P.S. Case No. 299 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the extra judicial confessional statement of Manoj Chouhan, except which there is no other material to connect the petitioner with the alleged occurrence. No recovery has been made from the conscious possession of the petitioner. Similarly situated co-accused Mohan Chouhan @ Manmohan Chauhan has been granted anticipatory bail by this Court in Cr. Misc. No. 7883 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, 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 Chief Judicial Magistrate, Buxar in connection with Buxar (Muffasil) P.S. Case No. 299 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)

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