

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80250 of 2018

Arising Out of PS. Case No.-763 Year-2017 Thana- ARARIA District- Araria

Rupesh Kumar Paswan, son of Kapildev Paswan, Resident of Village-
Madhura North ward no.01, Police Station- Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 20.07.2018 in
connection with Araria P.S. Case No.763 of 2017, registered
for the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that
though the petitioner is not named in the FIR, his name has
surfaced subsequently on the basis of a confessional statement
made before the police by one co-accused, namely, Raju
Kumar Paswan, which has no evidentiary value. It is further
submitted that the petitioner is an accused in two other cases
and in one case the petitioner has been extended the privilege
of bail. Learned counsel further submitted that the petitioner
shall co-operate in any further investigation and also co-



operate during the course of the trial.

Considering the aforementioned facts and circumstances and that the petitioner's name has surfaced on remand, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Araria P.S. Case No.763 of 2017, subject to the following conditions:

(1) Father will be the bailor of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

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

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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