

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25810 of 2019

Arising Out of PS. Case No.-193 Year-2018 Thana- BELA District- Sitamarhi

=====

RAKESH PASWAN Son of Ram Pravesh Paswan Resident of Village-
Lohkhar, P.S-Sonbarsa, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Gulnar Begum

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
22.01.2019 in connection with Bela P.S. Case No. 193 of 2018
for offences punishable under Section 395 of the Indian Penal
Code.

The prosecution case as lodged by the informant is
that he had a cloth store and while in the night he was sleeping,
8-10 criminals came and tied him and took away clothes, Rs.
40,000/-, mobile and some gold ornaments. They also entered
the house of his cousin brother and took away gold and silver



ornaments with mobile.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, not named in the F.I.R. and his name surfaced only on the confessional statement of the petitioner before the police which has no evidentiary value in the eye of law. He submits that the looted mobile recovered from the house of the petitioner was not stolen by him but purchased and that one of the co-accused on similar allegations has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 23643 of 2019 dated 12.04.2019. He submits that no T.I. Parade has been done so far.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner above named be enlarged on bail on 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, Sitamarhi in connection with Bela P.S. Case No. 193 of 2018, subject to the condition that one of the bailors would be close relative of



the petitioner having sufficient immovable properties, who will
file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

devendra/priyanka

U		T	
---	--	---	--

