

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64472 of 2018

Arising Out of PS. Case No.-55 Year-2018 Thana- SALIMPUR District-
Patna

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Satendra Paswan, Son of Hari Kishun Paswan, Resident of Village-
Saidpur, P.S.- Salimpur, P.S.- Salimpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajit Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 03-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 457 and 380 of the Indian Penal Code
registered in connection with Salimpur P.S. Case No. 55 of 2018.

3. It is submitted that the petitioner has been falsely
implicated as the F.I.R. is against unknown persons. It is further
submitted that merely on the extra judicial confessional
statement of co-accused Dinanath Paswan, except which, there is
no other material to connect the petitioner with the alleged
occurrence. Similarly situated accused Rajeev Paswan has been
granted anticipatory bail by this Court in Cr. Misc. No. 36640 of
2018. It is further submitted that recovery of a dabba and a bora
was made which was said to be stolen articles of Bakhtiarapur P.S.
Case No. 41 of 2008, he has not been made accused in the said
case and as such claims clean antecedents.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate, Barh in connection with Salimpur P.S. Case No. 55 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.

(v) That the learned court below shall verify the criminal antecedents of the petitioner and more specifically that he is not an accused in Bakhtiarpur P.S. Case No. 41 of 2008.

(Vikash Jain, J)

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