

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66397 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- RAJAPAKAR District- Vaishali

Santosh Paswan Son of Upek Paswan Resident of Village- Khokhasa Kalyan,
P.S.- Desari, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Rajapakar P.S. Case No. 69 of 2019**, registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

Informant alleged that while he was returning after withdrawing cash from the A.T.M, six unknown miscreants boarded on two motorcycles surrounded him and forcibly stopped his motorcycle and asked money from him. On refusal, the accused persons fired upon him which hit his left leg. Thereafter, the accused persons snatched cash of Rs. 1,59,000 from his purse and also took away other articles.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the F.I.R. Name of petitioner has come during investigation on the basis of suspicion. There is no recovery of any incriminating article from possession of this



petitioner. No test identification parade has been held till date. One of the co-accused has been granted bail by a Coordinate Bench of this court vide order dated 22.10.2019 passed in Cr. Misc. No. 66776 of 2019. Charge-sheet has already been submitted. Petitioner is in custody since 28.06.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to 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, Vaishali at Hajipur** in connection with **Rajapakar P.S. Case No. 69 of 2019**, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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