

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.73474 of 2018**

Arising Out of PS. Case No.-171 Year-2018 Thana- OBRA District- Aurangabad

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Dhananjay Paswan S/o Ramdutt Paswan @ Ramdat Ram Resident of Village-  
Khutaha, P.S. Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Ashok Kumar Singh 1

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      06-02-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 353, 414, 341, 323, 224, 225, 332, 34 IPC registered in connection with Obra P.S. Case No. 171/2018.

3. It is submitted that the petitioner has been falsely implicated merely on the extra judicial confessional statement of co-accused, except which there is no other material to connect the petitioner with the alleged occurrence. However, the three co-accused persons from whom recovery of the motorcycle has been made have not named the petitioner. Recovery of the Apache motorcycle has been made from the possession of Ravi Kumar, Sonu Kumar and Vikash Kumar and no incriminating articles have been recovered from the petitioner. The accusation that the petitioner helped co-accused Ravi Kumar escape from the clutches of the police is merely on the confessional statement of co-accused. The petitioner is accused in one prior case of different nature, in which he is on bail.

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 SDJM, Daudnagar, District Aurangabad, in connection with Obra P.S. Case No. 171/2018, 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. That 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.
- 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)**

Chandran/-

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