

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81045 of 2019

Arising Out of PS. Case No.-58 Year-2018 Thana- NARPATGANJ District- Araria

PANKAJ KUMAR PASWAN @ PANKAJ PASWAN Son of Bikru Paswan
Resident of Village - Madhura North, P.S. - Fulkaha, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-12-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant in his written complaint has alleged that when he was returning to home, three unknown miscreants boarded on APACHE motorcycle stopped him between Geruadhar and Bindal Chowk and on the point of pistol looted his motorcycle, mobile phone, ATM Card and fled away.

It has been submitted on behalf of the petitioner that he is not named in the FIR. FIR is against unknown. Nothing has been recovered from the possession of the petitioner. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional



statement of co-accused Rupesh Kumar Paswan and Raju Kumar Paswan. Except the confessional statement there is no incriminating material against the petitioner. It has been further submitted that co-accused persons Rupesh Kumar Paswan and Raju Kumar Paswan on whose confession the name of the petitioner has surfaced in this case have been granted bail vide orders dated 18.12.2018 in Criminal Miscellaneous No. 75491 of 2018 and 31.01.2019 in Criminal Miscellaneous No. 4624 of 2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Narpatganj P.S. Case No. 58 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.



(3) 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.

(S. Kumar, J)

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