

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82602 of 2019

Arising Out of PS. Case No.-112 Year-2019 Thana- GORAUL District- Vaishali

BITTU KUMAR PASWAN @ BITTU KUMAR S/o Arvind Paswan R/o
village- Mahadev Math, P.S.- Mahua, District- Vaishali ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Bela Singh, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Petitioner is an accused in a case registered for the offence punishable under section 379 of the Indian Penal Code.

The informant alleged that miscreants took away his motorcycles and other articles when he was engaged in attending call of nature on the way to his home.

Learned counsel for the petitioner submits that nothing incriminating has been recovered from the conscious possession of the petitioner and his name has come in the instant case on his confession in another case. Charge sheet has also been filed in the case, as such, there is no chance of tampering with the evidence. Similarly situated co-accused Prince Kumar has already been allowed bail by a bench of this Court vide order dated 18.11.2019. Petitioner is in custody in the instant case since 22.7.2019. Petitioner has not been put on test identification parade (TIP) till date.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released 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 Additional Chief Judicial Magistrate I, Vaishali at Hajipur in Goraul Police Station Case No. 112 of 2019, on the following conditions:-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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