

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26798 of 2020

Arising Out of PS. Case No.-42 Year-2019 Thana- KATHAIYA District- Muzaffarpur

BIBHUTI KUMAR PASWAN @ BIBHUTI Son of Govind Paswan Resident
of Village - Kathaiyan, P.S.- Kathaiyan, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-10-2020 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Ms. Sucheta Yadav, Additional Public Prosecutor

for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Kathaiya PS Case No. 42/2019 registered for the offence
punishable under Section 392 of the IPC.

3. The allegation against the petitioner, as per First
Information Report, is that when the informant was on his way
to his home from the market, he was intercepted by the four
persons on two motorcycles and the miscreants snatched his
motorcycle and other valuables.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and his name has transpired in this case on the basis of alleged



confessional statement made by the petitioner before the police while he was in custody in connection with Motipur PS Case No. 1042/2018. Learned counsel further submits that the petitioner has been remanded in this case on 18.07.2019 from the aforesaid case.

5. Learned counsel next submits that no incriminating material has been recovered from the possession of the petitioner and he has not been put on TIP uptill now. Learned counsel further submits that similarly situated co-accused persons, namely, Amarjeet Kumar and Praveen Kumar Chaudhary have been granted bail by this Court vide Cr. Misc. Nos. 67595 and 84775 of 2019 respectively, and the petitioner has remained in custody since 18.07.2019.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted bail by this Court and the petitioner has remained in custody since 18.07.2019, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, BIBHUTI KUMAR PASWAN @ BIBHUTI be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Kathaiya PS Case No. 42/2019.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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