

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2565 of 2020

Arising Out of PS. Case No.-42 Year-2011 Thana- GADHPURA District- Begusarai

=====

Rohit Kumar Paswan @ Pappu Paswan @ Rohit Kumar, Son of Ram Udgar Paswan, Resident of Village - Sakarpura, P.S. - Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mrs.Asha Devi

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 20-03-2020 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Garhpura P.S. Case No.42 of 2011 registered for the offence punishable under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that there is no recovery from the possession of the petitioner and his name has transpired in the confessional statement of the co-accused.

Learned APP has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case



wherein it is the submission of learned counsel for the petitioner that the petitioner is working as a labourer at Delhi and for that reason earlier he could not surrender in the case and further submission that till date he has not been identified as he was not put on T.I. Parade and no looted article has been recovered from the possession of the petitioner and his name has transpired only in the confessional statement of the co-accused as also that the petitioner is ready and willing to abide by all such terms and conditions which may be imposed by this Court for grant of bail and shall cooperate in early conclusion of the trial, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Garhpura P.S. Case No.42 of 2011, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted



with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

and subject to the further condition that the petitioner will appear physically in course of trial on each and every date and two consecutive default on the part of the petitioner would lead to cancellation of his bail bond.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

