

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86407 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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SUNIL PASWAN @ SUNIL KUMAR S/o Late Ramashish Paswan R/o
village- Pipra, P.S.- Aurangabad(Mufassil), District- Aurangabad (Bihar)
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in
connection with Aurangabad (Town) P.S. Case No. 379 of 2018
registered for the offences punishable under Sections 420, 379
and 411/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been made accused in this case on the basis of
confession of co-accused Mahabir Kumar who has alleged that
the stolen tempo was sold to this petitioner and further
submission is that the stolen article has not been recovered from
the house of the petitioner but from nearby of the petitioner's
house. The petitioner is in custody since 14.11.2019 having no
criminal antecedent.



Learned APP for the State has opposed the prayer of 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 his name has transpired in this case in the confessional statement of co-accused Mahabir Kumar who has alleged that the stolen tempo was sold to this petitioner and further submission is that the stolen article has not been recovered from the house of this petitioner but from nearby of the petitioner's house and as such the same cannot be said to be possession of the petitioner and that the petitioner has no criminal antecedent, let the petitioner above named be released on bail in connection with Aurangabad (Town) P.S. Case No. 379 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, 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.

(Rajeev Ranjan Prasad, J)

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