

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86577 of 2019

Arising Out of PS. Case No.-321 Year-2018 Thana- CHANPATIA District- West Champaran

Ashok Kumar Paswan @ Ashok Kumar, Son of Bhutti Paswan, Resident of Village - Pathak Tola, Chuhadi, P.S.- Chanpatiya (Sirisiya O.P.), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 394 of the Indian Penal Code.

The informant was robbed of his jewellery worth Rs.1.25 lakhs and cash amount of Rs.5,000/- and other articles, leading to registration of the case. The FIR was lodged against unknown and the name of the petitioner sprang up on the confession of co-accused.

It is submitted by learned counsel for the petitioner that the petitioner was in custody since 24.07.2018 in connection with Chanpatiya P.S. Case No. 325 of 2018 and was granted bail vide order dated 14.12.2018 passed in Cr. Misc. No. 75050 of 2018 whereas the confession of co-accused Sonu Kumar was



recorded on 06.10.2018 but the petitioner was neither remanded in the present case nor put on T.I. Parade and there is no recovery from the petitioner. Petitioner is accused in one another case in which he is on bail.

Learned APP submits that the named of the petitioner sprang up on the confession of co-accused Sonu Kumar.

Considering the fact that the impugned order suggests that the charge sheet has been submitted against co-accused Sonu Kumar but the investigation against the petitioner is still pending and there is no recovery from the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 321 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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