

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15193 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- KARJAIN District- Supaul

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PINTU KUMAR @ PINTU KUMAR PASWAN, S/o Kameshwar Paswan,
R/o Village- Karjain Bazar, Ward No. 16, P.S.- Karjain, District- Supaul.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Md. Rahis Ansari, S/o Late Md. Harun Ansari, R/o Village- Dinbandhi,
Ward No. 12, P.S.- Balua Bazar, District- Supaul.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan, Adv.

For the Opposite Party/s : Mr.Arbind Kr. Pandey (APP 84)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 397 of the Indian Penal Code.

Prosecution case, in brief, is that on 21.07.2020, the
informant alongwith his friend had gone to Gospur for
purchasing animal. Thereafter, on the way at about 7.45 pm, two
motorcycles with six people on them came from behind,
overtook the informant and stopped. It is alleged that two people
from each motorcycle got down and assaulted the informant and
took mobile, wallet and cash Rs.5300/-. It is further alleged that
the accused persons snatched Rs.20,000/- from the friend of the



informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that on the basis of confessional statement of co-accused, namely, Abhishek Mehta, petitioner has been made accused in the present case. The said co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 05.07.2021 passed in Cr. Misc. No.12724/2021. The petitioner is languishing in judicial custody since 23.07.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail of the petitioner.

Considering the fact that co-accused has been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Karjain P.S. Case No. 75/2020 to the satisfaction of learned Court below where the case is pending/ successor Court; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving



genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

However, the learned court below is directed to verify the criminal antecedent of the petitioner before accepting the bail bond.

(Anjani Kumar Sharan, J)

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