

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15311 of 2021

Arising Out of PS. Case No.-30 Year-2020 Thana- BHELDI District- Saran

Sanjay Paswan Son Of Dinesh Paswan @ Dineshwar Manjhi Resident of
Village - Basantpur, P.S.- Dighwara, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr. Satyadev Pd. Singh Yadav A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bheldi P.S. Case No. 30 of 2020, registered for the offence under Sections 302, 392, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the younger brother of the informant went to withdraw money from the Bank and as soon as he reached near Bedwaliya Middle School, three accused persons intercepted him and snatched his bag containing cash, which was objected by brother of informant, whereupon, co-accused Jhunnalal Yadav fired from his pistol upon the brother of informant. At the same time, the informant was coming in the same direction, who after seeing the occurrence raised alarm, and thereafter, all the accused persons fled away from the spot.



Petitioner is neither named in the F.I.R. nor he has been identified by the informant. Name of the petitioner has come during course of investigation on the basis of his self-confessional statement before the police in some other case. It is further submitted that the money, which has been recovered from the house of petitioner, is of the petitioner and till date, neither the alleged recovered money nor petitioner has been put on T.I.Parade. Similarly situated co-accused namely Raja Kumar and Vishal @ Bibhishan as well as co-accused Guddu Paswan have already been granted bail by this Court, vide order dated 05.03.2021 passed in Cr.Misc. No. 37595 of 2020 and order dated 13.07.2021 passed in Cr.Misc. No. 37200 of 2020 respectively. Petitioner is in custody since 08.05.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – XIII, Saran at Chapra in connection with Bheldi P.S. Case No. 30 of 2020, on the following conditions:



“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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