

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21040 of 2021

Arising Out of PS. Case No.-286 Year-2020 Thana- TEGHRHA District- Begusarai

BRAHMDEO PASWAN SON OF BHUBNESHWAR PASWAN R/O
VILLAGE- LOKNATHPUR GANJ P.S- DALSINGH SARAI, DIST-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 03-11-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Teghra P.S. Case No.286 of 2020 registered for the offences punishable under Section 395 of the Indian Penal Code. He is in custody since 29.02.2020. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the First Information Report altogether six miscreants entered into the jewelry shop, they were aged between 22 and 27 years. The face of the miscreants got captured in CCTV footage and



the informant claims to have identified one of them if he is produced before him.

Learned counsel for the petitioner submits that this petitioner is aged about 55 years and he has neither been seen in the CCTV footage nor there is any other material to connect him with the alleged occurrence. He has been implicated in this case because he happens to be the father of the two accused who have been involved in this case.

Learned counsel further submits that no looted jewelry has been recovered from the possession of this petitioner. There is recovery of one motorcycle from a place in front of the house of one Baijnath Singh. The petitioner has not been put on TIP and he has already remained in jail for one year, investigation against him is complete but the trial is not likely to take place in near future. In the meantime, two co-accused namely Saurav Kumar and Dharmendra Sah have been granted bail by two learned coordinate Benches of this Court in Cr.Misc.No.27122 of 2021 and Cr.Misc.No.32662 of 2021.

Mr. Md. Fahimuddin, learned APP for the State has though opposed the prayer for regular bail of the petitioner, but could not controvert the submissions of learned counsel for the petitioner as recorded above.



Having regard to the facts and circumstances of the case, there being no material showing recovery from the possession of the petitioner or his identification by the informant, in absence of any such material, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No.286 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

