

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25446 of 2021**

Arising Out of PS. Case No.-76 Year-2020 Thana- BHIMPUR District- Supaul

NATABAR PASWAN @ NATVAR PASWAN Son of Ramashis Paswan
Resident of Village - Govargadha, P.S. and District - Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-09-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Uday Chand Prasad, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Bhimpur P.S. Case No. 76 of 2020 registered for the offences punishable under Section 420 and 406 of the Indian Penal Code. The petitioner is in custody since 19.10.2020. He has two criminal antecedents.

Learned counsel for the petitioner submits that as per the prosecution story it has been alleged that the petitioner had taken a sum of Rs. 4,20,000/- in the name of getting job to the informant's son in Bihar Police and one of his neighbor Chandrakala Devi also

gave Rs. 1,90,000/- to the petitioner for getting a job in Bihar Police for her brother. After taking money from the informant he switched off his phone.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no material on the record to connect the petitioner with the present case. The petitioner is in custody in connection with the present case since 19.10.2021.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the allegation against the petitioner is that he had taken a sum of Rs. 4,20,000/- from the informant in the name of getting a job to the informant's son in Bihar Police and it is further alleged that one of the neighbors Chandrakala Devi had also given a sum of Rs. 1,90,000/- for providing a job to her brother, the submission is that the informant has firstly not brought any material to show how the money was given to the petitioner and further it is apparent from the FIR itself that the informant is himself indulging in an illegal activity knowing fully well that procurement of a job by giving money would be illegal, further submission that the petitioner has remained in jail in connection with this case since 19.10.2020 and the learned court below while rejecting the prayer for bail of the petitioner had given an observation that if the case is not committed within a period of

three months he may renew his prayer for bail, considering all these aspects of the matter this Court directs release of the petitioner above named on bail on furnishing of bail bonds 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, Supaul in connection with Bhimpur P.S. Case No. 76 of 2020, subject to the conditions 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.

The application stands allowed.

(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'.