

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27318 of 2021

Arising Out of PS. Case No.-152 Year-2019 Thana- BIHRA District- Saharsa

Shrawan Paswan Son Of Ram Prasad Paswan R/O Village- Pastwar, P.S.-
Mahishi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-12-2021 Heard learned counsel for the petitioner and Shri
Rabindra Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bihra P.S. Case No. 152 of 2019 instituted for the offences
under Section 396 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 23.09.2019 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that as per
the allegation as alleged in the F.I.R. the informant alleges that
his brother used to travel by his bike for business purpose and
10-12 days prior to the alleged occurrence, he conveyed to the
informant that some persons intercepted him and one Golu
Kumar threatened and demanded extortion of Rs. 50,000/-. It is



further alleged that on 24.08.2019, the brother of the informant proceeded to his house by his bike from Saharsa railway station, but he did not reach there. During search, the dead body of the brother of the informant was found lying in Bihra Police Station accordingly the F.I.R. was instituted.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case based on confessional statement of co-accused Anil Kumar, there is no eye witness of the occurrence, no substantive evidence has been collected during the course of investigation to even remotely suggest the implication of this petitioner in the present case. Learned counsel further submits that apart from confessional statement nothing has come against this petitioner and co-accused Golu Kamat @ Goloo Kamat has been granted bail vide order dated 26.10.2021 in Cr. Misc. No. 30254 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 23.09.2019, charge-sheet has been submitted in the case and the 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 only) with two sureties of the like amount each to the satisfaction of Shri Satish Kumar, learned J.M. 1st Class, Saharsa in connection with Bihra P.S. Case No. 152 of 2019 with a condition that the petitioner will keep marking his attendance in the concerned police station in between 20-25 of every month commencing from January, 2022 till the charges are framed, the concerned police station will report to the learned court below on 28th of every month about marking of attendance by the petitioner in between the aforesaid dates, in the event it is reported by the concerned police station to the learned court below that the petitioner in between the aforesaid dates in any of the month till framing of charges has not marked his attendance, the court below will instantly cancel his bail bonds.

(Satyavrat Verma, J)

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