

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33121 of 2021**

Arising Out of PS. Case No.-168 Year-2020 Thana- RAHIKA District- Madhubani

SANJAY PASWAN, aged about 25 years (Male), Son of Upendra Paswan,
Resident of Village- Maniyari, Teliya Pokhar, P.S.- Sadar (Mobbi O.P.),
District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

2 08-10-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 379 of the Indian Penal Code.

As per FIR, unknown thieves have stolen two tractors
of the shop owner of the informant which was parked in the
night of 27.12.2020 in front of his Hardware shop.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It has
further been submitted that petitioner is not named in the FIR
and his name has surfaced in this case on the confessional
statement made by the co-accused and except said confessional
statement, there is no any other incriminating material against

the petitioner. Petitioner has no criminal antecedent and he is in custody since 09.01.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Rahika P.S. Case No. 168 of 2020 (CRI Case No.2577/2020) with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

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

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

Sanjay/-

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(S. Kumar, J)