

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34653 of 2020

Arising Out of PS. Case No.-92 Year-2020 Thana- AURANGABAD TOWN District-
Aurangabad

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TUNNU KUMAR PASWAN @ TUNNU PASWAN SON OF LATE BHIM
PASWAN RESIDENT OF VILLAGE - UPRALI DUMRI, P.S. - AMBA,
DISTRICT - AURANGABAD (BIHAR)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. N. Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-01-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in a case instituted for the

offences under Section 379 of the Indian Penal Code in which

section 411 IPC was added later on.

Prosecution allegation, in short, is that that the

accused persons looted cash amount from the ATM machine.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 21.3.2020. Charge-

sheet/prosecution report has been submitted in this case. There

is no allegation of tampering of witnesses alleged against the



petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come merely on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Rs. 83,000/- is said to have been recovered from the house of the petitioner. The same belongs to the petitioner. The said money was kept for the purpose of the marriage of the niece of the petitioner. The petitioner has not been put on T.I.P. to ascertain his participation in the present case. The offence is triable by Magistrate.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 92/2020.

(Sudhir Singh, J)

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