

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49080 of 2021**

Arising Out of PS. Case No.-287 Year-2018 Thana- BATHNAHA District- Sitamarhi

=====

LAKHI PASWAN @ RABINDRA PASWAN S/o Prabhu Dayal Paswan R/o
village- Dighi, P.S.- Bathnaha, Distt.- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

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

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Bathnaha P.S. Case No. 287 of 2018, registered for the offences punishable under Sections 341, 323, 385, 392, 504 and 506/34 of the Indian Penal Code.

The allegation as per the prosecution case is that the accused persons on the point of pistol snatched the motorcycle and mobile of the informant and fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence

and he has falsely been implicated in the present case. Petitioner is not named in the F.I.R.. He further submits that on the basis of confessional statement of co-accused, namely, Mahesh Sahni, the name of the petitioner has been dragged in the present matter. He further submits that the co-accused, namely, Mahesh Sahni, has been granted bail by a Coordinate Bench of this Court vide order dated 22.04.2019 passed in Cr. Misc. No.20410 of 2019 (Annexure-2). It has further been submitted that till date, no T.I. Parade has been done by the police and chargesheet has been submitted against the petitioner. Petitioner is in custody since 06.06.2021

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 287 of 2018, subject to the following conditions:-

1. 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. 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.

(Rajesh Kumar Verma, J)

sanjeev/-

U		T	
---	--	---	--