

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.37230 of 2020**

Arising Out of PS. Case No.-52 Year-2015 Thana- BELAGANJ District- Gaya

Yogendra Paswan Son of Ram Jatan Paswan @ Jatan Paswan Resident of
Village- Sundarpur, P.S.- Belaganj, Gaya Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar,Advocate
For the Opposite Party/s : Mr.Parmanand Kumar,APP

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

4 13-07-2021 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. Parmanand Kumar, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Belaganj P.S. Case No. 52 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341, 447, 323, 325, 307 & 302 of the Indian Penal Code. He is in custody since 11.11.2019.

Learned counsel for the petitioner submits that on reading of the First Information Report, it may be seen that there are general and omnibus allegations against the petitioner and other several named co-accused. The prayer for bail of the petitioner was, however, rejected earlier by the learned Co-ordinate Bench of this Court in Cri. Misc. No. 3559 of 2020 on finding that in the case of



the year 2015, the petitioner was apprehended on 11.11.2019. The learned Co-ordinate Bench had given liberty to the petitioner to move afresh for bail after framing of charge.

Learned counsel submits that several co-accused have been granted bail in this case and the case of the petitioner is similarly situated with the co-accused. In this connection, learned counsel refers to Cri. Misc. No. 4444 of 2016, Cri. Misc. No. 14807 of 2016 and Cri. Misc. No. 38169 of 2016.

Learned APP for the State has though opposed the prayer for bail of the petitioner but considering the facts and circumstances of the case wherein the petitioner is in custody since 11.11.2019 and it is the categorical submission of learned counsel for the petitioner that after framing of charge no further development has taken place and the trial is not likely to be concluded in near future, 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 Additional Sessions Judge-V, Gaya in connection with Belaganj P.S. Case No. 52 of 2015, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the



commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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'.

