

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40064 of 2020

Arising Out of PS. Case No.-89 Year-2019 Thana- BELDOUR District- Khagaria

SHIV KUMAR @ SUKUMAR PASAWAN Son of Baleshwar Paswan
Resident of Village- Baijnathpur, P.S.- Saur Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 22-03-2021 Heard Mr. Pankaj Kumar, learned counsel for the
petitioner and Ms. Shaheen Begum, Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Beldaur PS Case No. 89/2019 corresponding to GR No.
1301/2019 registered for the offence punishable under Section
392 of the IPC.

3. The allegation, as per First Information Report, is
that three accused persons surrounded a Bolero Pickup Van
bearing Registration No. WB-23E-9070 and took away the same
along with Rs. 10,000/-, mobile phones, 125 Plastic Carats and
some documents from the informant on the gun point after
assaulting the helper of the said vehicle.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and nothing



incriminating has been recovered from the possession of the petitioner and in paragraph-3 of the instant petition, petitioner has stated that he has got no criminal antecedents. Learned counsel further submits that petitioner has claimed parity with the similarly situated co-accused person who has been granted bail by a Bench of this Court vide Cr. Misc. No. 73252/2019. Learned counsel also submits that name of the petitioner has transpired in the confessional statement made by a co-accused.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and on perusal of the order impugned and the antecedents report submitted by learned court below i.e. the court of Judicial Magistrate 1st Class, Khagaria vide letter no. 27 dated 02.03.2021, that the petitioner has got criminal antecedents and three cases are pending against him and this fact has been concealed by the petitioner in the instant bail petition, on this very ground, I am not inclined to grant bail to the petitioner. The same is hereby, rejected.

(Anil Kumar Sinha, J)

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