

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40451 of 2020

Arising Out of PS. Case No.-49 Year-2020 Thana- BARUN District- Aurangabad

JITENDRA PASWAN SON OF INDRAJEET PASWAN RESIDENT OF
VILLAGE- KOTHRA, P.S.- AGRER, DISTRICT- ROHTAS (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey
For the Opposite Party/s : Mr. N.K. Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 03-05-2021 Heard Mr. Dhanendra Choubey, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned counsel
appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Barun
P.S. Case No. 49 of 2020 (G.R. No. 298 of 2020) registered for
the offence under Section 394 of the I.P.C.

The allegation as per the First Information Report is
that three unknown criminals accosted the informant and
snatched his motorcycle along with cash of Rs. 2,000/- and
some documents.

Learned counsel for the petitioner submits that
petitioner has been dragged in this case on the basis of
confessional statement made by Dharmendra Kumar, who has
been granted bail by a Co-ordinate Bench of this Court vide Cr.



Misc. No. 35644 of 2020. Learned counsel next submits that the stolen motorcycle was recovered from the possession of one Ashok Sao, which would be evident from Annexure – 2 to the present petition, which is the “seizure list”. Learned counsel next submits that the said Ashok Sao has also been granted bail vide Cr. Misc. No. 4166 of 2021. Learned counsel next submits that other co-accused persons namely, Pappu Yadav and Monu Kumar Ram have also been granted bail by different Co-ordinate Benches of this Court vide Cr. Misc. Nos. 36022 of 2020 & 35851 of 2020 respectively. Learned counsel next submits that petitioner is in custody since 31.08.2020 and was remanded in this case from Barun P.S. Case No. 38 of 2020 in which he has been granted bail by the court below itself.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that similarly situated accused persons have been granted bail, petitioner was not put on T.I. Parade, stolen motorcycle was recovered from the co-accused / Ashok Sao, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/-



(twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 49 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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