

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40364 of 2020

Arising Out of PS. Case No.-331 Year-2019 Thana- RAJGIR District- Nalanda

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Dinesh Paswan @ Palli Paswan, son of Late Ramvan Paswan @ Raman Paswan, Resident of Village Bahri Dhawalpur, Police Station Bypass, District Patna

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar
For the State : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 14-06-2021 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State, through video conferencing.

The petitioner seeks regular bail in connection with Rajgir Police Station Case No. 331 of 2019, registered for the offences punishable under Section 394 of the Indian Penal Code.

The allegation, as per the First Information Report, is that four unknown persons entered into the house of the informant and committed robbery and looted away a sum of Rs. 20,000/- in cash, gold and silver ornaments and mobile phones.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case on the basis of the confessional statement of co-accused Pintu Sahni. He next submits that no incriminating and/or looted article has been recovered from the possession of this petitioner and the mobile phone, which was recovered from the place of occurrence, does not belong to the petitioner, but the learned Court below has rejected the bail application of the petitioner merely on the basis of the fact that co-accused Pintu Sahni has confessed that the mobile in question belongs to the petitioner, and except that, there is no other material to show that the petitioner is the owner of the mobile in question. He further submits that co-accused persons, namely, Shrawan Kewat (vide order, dated 02.03.2020, passed in Criminal Misc. No. 13519 of 2020), Dipak @ Khajanchi Kewat (vide order, dated 05.06.2020, passed in Criminal Misc. No. 16064 of 2020) and Pintu Sahni @ Pintu Kumar Sahni (vide order, dated 09.09.2020, passed in Criminal Misc. No. 20799 of 2020) have been granted regular bail by co-ordinate benches of this Court. He further submits that the petitioner is in custody since 25.06.2020 and charge sheet has been submitted against him and, as such, there is no chance of the petitioner being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and



taking into consideration the materials on record and the fact that co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon 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, Nalanda, at Biharsharif, in connection with Rajgir Police Station Case No. 331 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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