

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57609 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- DELHA District- Gaya

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ROHIT KUMAR @ LOLO PASWAN @ SANNI @ ROHIT @ LOLO @
ROHIT KUMAR LOLO Son of Sanjay Paswan @ Pale Paswan @ Sanjay
Kumar Resident of Mohalla- Bangla Asthan, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms.Priya Ranjan, Adv. Mr.Sanjeev Kumar, Adv. Mr.Mukesh Kumar, Adv.
For the Opposite Party/s :		Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-12-2021 Heard the parties.

The petitioner seeks bail in connection with Delha P.S.
Case No.69 of 2020, registered for the offence punishable under
Sections 307, 34 of the IPC and section 27 of the Arms Act.

Earlier, the prayer for bail of the petitioner made through
Cr. Misc. No.23071 of 2021 was rejected by this court vide
order dated 23.08.2021 on the ground that the petitioner has
suppressed the criminal antecedent of the petitioner.

Thereafter, the instant application for grant of bail was
filed by the petitioner.

The allegation against the petitioner is that he has fired
upon the brother of the informant.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case due to dirty village politics. It is submitted that at para-3 of the bail application, it has now been mentioned that petitioner has seven criminal antecedents, which was earlier mistakenly mentioned as two criminal antecedents. The petitioner is languishing in custody since 31.03.2020 i.e. for more than one and a half year.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case and the custody of more than one and half year, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya/successor Court, in connection with Delha P.S. Case No.69 of 2020, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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