

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6026 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- GURUA District- Gaya

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LALAN PASWAN @ RAUSHAN PASWAN S/O DEONATH PASWAN @
DEVNATH PASWAN RESIDENT OF VILLAGE KHAIRADIH, P.S.
DAUDNAGAR, DISTRICT AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Sanjay Kr. Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Gurua P.S.
Case No.28 of 2020 registered for the offence punishable under
Section 392 of the Indian Penal Code.

The prosecution case in short is that while the petitioner
along with one Sona Devi were going to Mathurapur, three
persons came from a motorcycle and stopped the scooty of



informant. It is further alleged that on the point of pistol, they took away documents and cash of C.S.P. kept in a bag and Sona Devi received some injuries due to fall on the ground.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. FIR has been lodged against three unknown persons and the petitioner is not named in the FIR. The name of petitioner has transpired only on the basis of suspicion due to his criminal post. No T.I. Parade has been conducted. No incriminating article has been recovered from his conscious physical possession. The petitioner has seven criminal antecedent and has been languishing in custody since 12.02.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, 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 S.D.J.M., Sherghati, Gaya in connection with Gurua P.S. Case No.28 of 2020, subject to the following conditions:

- (1) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(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.

(Anjani Kumar Sharan, J)

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