

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.9255 of 2021**

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

=====

ARUN PASWAN, SON OF DEVLAL PASWAN, R/o village- Chaksakra  
Duirganagar, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ankit Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P

=====

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

7      16-12-2021                      Heard Mr. Ankit Kumar, learned counsel appearing on  
behalf of the petitioner and Anuj Kumar Shrivastava, learned  
A.P.P. for the State.

The petitioner, who is in custody since 03.02.2020,  
seeks bail in connection with Hajipur, Town P.S. Case No. 1052  
of 2019, for the offence punishable under Section 395, 397, 412,  
201 and 120(B) of the Indian Penal Code.

The prosecution case, in brief, is that on 23.11.2019 at  
about 12.35 P.M, 6-7 miscreants, variously armed with  
weapons, entered into the office of Muthoot Finance Ltd. at  
Jagdamba Estate, Cinema Road, Hajipur and looted four bags,  
containing 1834 packets of gold ornaments approx 55.777 Kg.  
gold, and cash of Rs. 50,000/-. They also snatched mobile phone  
of staffs of the said office.

Learned counsel appearing on behalf of the petitioner



submits that petitioner is not named in the F.I.R. and he has been roped in the present case on the basis of confessional statement of co-accused, namely, Chanchal Sah, who has already been released on bail vide order dated 07.10.2021 passed in Criminal Miscellaneous No. 33308 of 2021. He further submits that other co-accused, namely, Ashif @Anshu Khan has also been released on bail vide order dated 25.03.2021 passed in Criminal Miscellaneous No. 40946 of 2020 against whom the allegation has been made that he was participated in the crime and looted 55.7 Kg of gold.

Learned A.P.P. for the State, vehemently, opposed the prayer for grant of bail to the petitioner and submits that it is established beyond reasonable doubt that persons whose name are surfaced in course of investigation have not denied their involvement in the said loot from the bank. So far as petitioner is concerned, his entire family members are absconding, which shows the involvement of the petitioner in the present case and as such the petitioner is not fit to be released on bail. He further submits that so far as criminal antecedent of petitioner is concerned, he is a history-sheeter and several cases are pending against him especially the case in which he is behind the bar relates to Hajipur Sadar P.S. Case No. 367 of 2019, for the



offence punishable under Sections 147, 148, 149, 326, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act. Though, he has been released on bail in the said case, but soon thereafter, he has misused the privilege of bail and has engaged himself in the subsequent cases and as such he does not deserve to be released on bail in public interest.

Having considered the aforementioned facts and circumstances of the case and taking into consideration the antecedent of the petitioner and taking into consideration that he is active in committing crime within the jurisdiction of Hajipur Police Station, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the prayer for bail of the petitioner, above named, is rejected.

However, learned Court below is directed to conclude the trial of the petitioner expeditiously, preferably, within a period of 09 months, if no substantial progress takes place in the trial within the said period. The petitioner, if so advised, may renew his prayer for bail after nine months.

**(Purnendu Singh, J)**

manish/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

