

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82882 of 2019**

Arising Out of PS. Case No.-800 Year-2016 Thana- BANKA District- Banka

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AMAR PASWAN @ AMAR HAZRA Son of Mahadeo Paswan Resident of
Village - Ambatari, P.S.- Baunsi, Bandhua Kurawa, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

6 24-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the third attempt on behalf of the petitioner, who is in custody since 27.01.2017 and has renewed his prayer for bail in connection with Banka P.S. Case No. 800 of 2016, having earlier been rejected by orders dated 01.07.2017 and 12.09.2018 in Cr. Misc. No. 25316 of 2017 and Cr. Misc. No. 55442 of 2018 respectively, for the alleged offences under Section 392 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and he is not named in the FIR which is against four unknown persons. The petitioner's name has come on the basis of confessional statement of co-accused Niranjana Yadav @ Niro Yadav, who has been granted bail by this Court in Cr. Misc.



No.27658 of 2017. It is submitted that no incriminating articles have been recovered from the conscious possession of the petitioner, nor he has been put in TIP for his identification. The petitioner's bail application was dismissed earlier on 12.09.2018, granting liberty to renew the prayer after framing of charge.

4. Pursuant to the order of this Court dated 19.01.2021 a status report has been received, in which the learned court below has stated that non-bailable warrant has been issued and one prosecution witness has appeared, but his statement could not be recorded owing to Covid-19 pandemic. It is further stated that co-accused Niro Hajra was granted bail by this Court on 07.07.2017, but after furnishing bail bond he did not appear before the court and his bail bond was cancelled. It has been further stated that charge has been framed at the stage of recording of evidence.

5. Learned APP appears and has been heard.

6. Be that as it may and having regard to the period of custody already suffered since 27.01.2017, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, 1st,



Banka in connection with Banka P.S.Case No. 800 of 2016, if
he is not otherwise required in any other case.

(Vikash Jain, J)

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