

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7989 of 2022

Arising Out of PS. Case No.-199 Year-2021 Thana- RASULPUR District- Saran

Ghanshyam Kumar Paswan @Chhotan Paswan, S/o Late Jangbahadur
Paswan, R/o village- Asahani, P.S.- Rasulpur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Rasulpur P.S. Case No. 199 of 2021 registered for the alleged offences under Section 392 of Indian Penal Code.

As per prosecution case, three unknown miscreants looted Rs. 6,82,000/- from the informant. When the informant resisted their attempt he was shot at by one of the miscreants in his thigh.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. Petitioner was not put to any Test Identification



Parade. Recovery of Rs. 28,100/- has been shown at his instance but the said money was not the looted money. It is a meager amount when the total looted money was Rs.6,82,000/-, it is not believable that the recovery shown from the petitioner is that of looted amount. In fact, the police arrested the petitioner and forcibly took his signature on a blank paper and prepared his false confessional statement. The petitioner is in custody since 24.09.2021 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedents and recovery of Rs. 28,100/- has been made from the house of the petitioner after he was arrested.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and further considering the period of custody of the petitioner along with submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Rasulpur P.S. Case No. 199 of 2021, subject to the conditions



mentioned in Section 437(3) of the Code of Criminal Procedure
and also the following conditions :

(i) One of the bailors will be a close relative of
the petitioner.

(ii) The petitioner will remain present on each and
every date fixed by the court below.

(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

