

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9762 of 2022

Arising Out of PS. Case No.-62 Year-2021 Thana- NOKHA District- Rohtas

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Kaushal Kumar Paswan @ Sonu @ Sonu Kumar @ Surya @ Don @ Surya
Don Son of Basant Paswan Resident of Village - Mahuari, P.s.- Akorhigola,
Dsitt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner seeks bail in connection with Nokha
(Dharampura) P.S. Case No. 62 of 2021 lodged under Sections
394 of the Indian Penal Code.

As per allegation made in the F.I.R., four miscreants
with the help of two motorcycle intercepted the Pick-up van of
the informant and on the point of gun they took away his Pick-
up van.

Learned counsel for the petitioner submits that
petitioner was not named in the F.I.R. and his name has been



figured in this case on the confessional statement of co-accused. He further submits that the said co-accused has granted bail vide order dated 31.05.2022 passed in Criminal Misc. No. 480 of 2022. He further submits that petitioner is in custody since 25.06.2021. He further submits that no T.I.P. has taken place till date in this case. He was falsely implicated in the present case.

Learned A.P.P. has opposed the prayer for bail of the petitioner and submits that there are in total eight criminal cases of similar nature are pending against the present petitioner, therefore, the petitioner should not be granted bail.

On the point of criminal antecedent, the petitioner is ready to file an affidavit before the learned court below at the time of furnishing his bail bond that in future he shall not involve in such types of activity. He further submits that the Coordinate Bench of this Court has pleased to grant bail to one of the co-accused namely Lav Kumar vide order dated 31.05.2022 passed in Criminal Misc. No. 480 of 2022.

Considering the facts of the case that the petitioner is in custody since 25.06.2021, he was not named in the F.I.R., his name has been figured on the confessional statement of co-accused and charge-sheet has already been filed, let the petitioner, above named, be granted bail on furnishing bail bond



of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sasaram, Rohtas in connection with Nokha (Dharmapura) P.S. Case No. 62 of 2021 with a condition that the petitioner shall support in framing of charge.

Further, the petitioner is directed to file an affidavit before the learned court below at the time of furnishing his bail bond that in future he shall not involve in such types of activity.

The prosecution is at liberty to file cancellation of bail, in case the petitioner violates his undertaking.

(Dr. Anshuman, J)

ved/-

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