

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12998 of 2022

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

VINAY PASWAN @ VIJAY PASWAN Son of Kamlewashwar Paswan,
Resident of Village- Khapra, P.S. - Akodhi Gola, District - Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The allegation against the petitioner is that he has
made robbery and his name has come in this case by virtue of
the confessional statement of co-accused.

Learned counsel for the petitioner submits that
nothing has been recovered from the possession of the petitioner
and no T.I.P. has taken place. He further submits that learned
Sessions Judge at the time of rejecting the bail order has

observed that petitioner has been remanded in the present case when he was in custody. He further submits that petitioner is in custody since 25.06.2021 and charge sheet has already been filed in this case. Learned counsel for the petitioner further submits that he is not assure that whether charge has been framed in this case or not. On the point of criminal antecedent of the petitioner, learned counsel for the petitioner submits that he is ready to fulfill all the conditions, which shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail and submits that there are four cases pending against the petitioner.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each but only after framing of charge, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

Liberty is hereby granted to the prosecution to do all the needful so that all the cases which are Magisterial triable may be run before one Magistrate and Sessions triable cases before one Session Judge.

With this observation, the bail application is allowed.

(Dr. Anshuman, J.)

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