

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15643 of 2022**

Arising Out of PS. Case No.-139 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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GUDDU PASWAN @ NARENDRA KUMAR @ NARENDRA PASWAN
Son of Mathura Paswan Resident of Village- Lalbiga, Police Station-
Kashichak, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Shekhopur Sarai P.S. Case No. 139 of 2021 for the offence
punishable under Sections 419, 420, 467, 468, 471 and 120B/34
of the Indian Penal Code.

As per the allegation made in the F.I.R., on receiving
secret information regarding involvement of the accused
persons in cheating the innocent persons on allurements of
granting loan under Pradhanmantri Mudra Yojna, a raid was



conducted in the house of one co-accused Shambhu Paswan from where several articles were recovered. On the basis of the confessional statement of Shambhu Paswan, the petitioner has been implicated in this case.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. Police has lodged the present F.I.R. in which the persons who have been allegedly cheated have not come forward to support the same and on this ground the very allegation made in the F.I.R. is not sustainable. The accused persons from whose house several articles have been recovered along with cash amount have already been released on bail by the court below itself. Nothing has been recovered from conscious possession of the petitioner or from his house. In this regard, petitioner has made specific statement in Para-12 of the bail application. Petitioner is in custody since 30.01.2022.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Taking into consideration the nature of allegation made in the F.I.R., the persons who have allegedly been cheated have not come forward to support the allegation made in the F.I.R., nothing has been recovered from conscious possession of



the petitioner, petitioner is in custody since 30.01.2022 and other co-accused having similar allegation have already been released on bail, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Shekhpura in connection with Shekhopur Sarai P.S. Case No. 139 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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