

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14690 of 2022

Arising Out of PS. Case No.-566 Year-2020 Thana- Wajirganj District- Gaya

Vijali Paswan @ Bhotha Paswan S/o Late Rajendra Paswan R/o village-
Kamaldah, P.S.- Pariaya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 04-08-2022 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
Wazirganj P.S. Case No. 566 of 2020 lodged under Section
395 of the Indian Penal Code..

Learned counsel for the petitioner submits that the
present case has been lodged against eight unknown persons,
the name of the petitioner has figured in this case by virtue of
the confessional statement of co-accused. He further submits
that nothing was recovered from his possession, nor T.I.P. has
been made. On the point of criminal antecedent, learned

counsel for the petitioner submits that petitioner is a law abiding citizen and, therefore, he has preferred bail in all his pending cases and facing trial. He submits that in the present case, he is in custody since 06.08.2021 and charge sheet has already been filed.

Learned counsel for the State opposes the prayer for bail and submits that the petitioner has criminal antecedent of very high degree. There are 14 criminal cases pending against him and once bail shall be granted, he shall create such a situation that his trial shall not be conducted. He also submits that presently charge has also not been framed in this case.

Upon the query from the learned APP, it has been mentioned that all the cases mentioned in paragraph 3 lie within the jurisdiction of the Session Judge Gaya. The prosecution is at liberty to do all the needful within the framework of law to conduct the magisterial/ session trial before the one court. Whereas all warrant cases before one magistrate.

Liberty aforesaid granted to the prosecution.

In the present facts and circumstances of this case and submissions made above, I am not inclined to grant bail to the petitioner at present but after framing of charge. He

may pray for bail before trial court, this court is at liberty to release petitioner imposing condition to his satisfaction including that if he shall not cooperate in the trial then he shall cancel his bail.

With this observation, the present application is disposed of.

(Dr. Anshuman, J)

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