

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25950 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- BIHTA District- Patna

DILIP PASWAN, SON OF BEYAS PASWAN R/O VILLAGE-
CHOUKIPUR, POKRANDHA, P.S.- RANI TALAB, DISTRICT- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Bihta P.S. Case No. 62 of 2020, registered for the offences punishable under Section 379 of the Indian Penal Code.

According to prosecution case, the informant, Dharmendra Kumar, lodged this case alleging therein that he is the owner of a Tractor bearing Registration No. BR-01-GF-1906 along with a Trailer, which was stolen by some unknown persons on dated 17.01.2020 from Devi Ashthan at Village-Pakari, which is still traceless. It is further alleged that some



unknown accused have stolen the aforesaid tractor with Dalla.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and he has been falsely implicated in the present case only on the basis of self-confessional statement of the petitioner. He further submits that nothing has been recovered from the possession of the petitioner. He further submits that till date, no TI parade has been conducted by the police and police after investigation has submitted chargesheet against the petitioner and the petitioner is in custody since 14.12.2020.

The learned Additional Public Prosecutor opposed the prayer of bail and submitting that petitioner carries one criminal case.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Danapur, Patna, in connection with Bihta P.S. Case No. 62 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

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