

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16135 of 2022

Arising Out of PS. Case No.-5 Year-2021 Thana- PATEPUR District- Vaishali

Chandan Paswan @ Vikki Raj @ Chandan Kumar Son of Veera Paswan
Resident of Village- Paharpur, Police Station- Beligaon, District- Vaishali
(Hajipur).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2022 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 a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 392 of the Indian Penal
Code.

According to prosecution case, the informant was
worker of L&T Finance Company and on 09.01.2021 the
informant has collected money on different place. Lastly, he
deposited money from Bank. It is further alleged that in the
meantime some miscreants came two motorcycle and snatched
Rs.14,350/- and important documents and fled away.



Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that in fact the petitioner remanded in the present case on 20.11.2021 and the police after investigation submitted the charge sheet against the petitioner.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Patepur P.S. Case No. 05 of 2021, 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.

(Rajesh Kumar Verma, J)

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