

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28372 of 2021**

Arising Out of PS. Case No.-358 Year-2020 Thana- DEEPNAGAR District- Nalanda

RAVI PASWAN S/O Shiv Paswan Resident of Village - Manichak, P.S. -
Deepnagar, District - Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

4 09-02-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 21.10.2020,
seeks regular bail in connection with Deepnagar P.S. Case No.
358 of 2020, for the offence punishable under Section 461, 379
and 411 of the Indian Penal Code.

The prosecution case, in brief, is that one Dharmendra
Kumar, aged about 30 years who is carrying business of Courier
namely, Daily Bery Pvt. Ltd. posted as Team Leader gave
written petition to S.H.O. Deepnagar alleging therein that in the
night of 18.10.2020, house owner Deepak Kumar informed him
about the noise in the office. Thereafter, he informed this fact to



the Deepnagar P.S. and other staffs of his office and reached near the office and at the same time, Deepnagar Police also reached there. When he reached near the office, three persons tried to flee away from the office and one of them had possessed Chheni and hammer and another had possessed cartoon bearing serial No. 5310610024625 and third person had also possessed a cartoon bearing serial no. 119170882992 and they disclosed their names as Ravi Paswan (Petitioner), Md. Danish and Munna Ram.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the petitioner has been roped in the present case due to previous enmity and antecedent of the petitioner. He further submits that the alleged Chheni and hammer were not recovered from the possession of the petitioner as such the petitioner be released on bail. He further submits that petitioner is the sole bread earner of his family and he is in custody since 21.10.2020.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that the alleged stolen articles were recovered from the possession of the petitioner.



Considering the aforementioned facts and circumstances of the case and also looking into period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Deepnagar P.S. Case No. 358 of 2020, subject to the condition that the petitioner will make his attendance before the S.H.O. of the concerned Police Station on every Saturday of the month at 9.00 A.M and the S.H.O is required to send attendance of the petitioner, on monthly basis, to the concerned Superintendent of Police till the conclusion of the trial, if there is even a single day default, the bail bonds of the petitioner shall, automatically, be cancelled as well as 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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