

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20965 of 2022

Arising Out of PS. Case No.-205 Year-2021 Thana- MANSI District- Khagaria

Sulendra Paswan @ Surendra Paswan Son Of Mahendra Paswan R/O -
Aamni, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 08-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

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

The petitioner is in judicial custody in connection
with Sessions Trial No.308/2021 arising out of Mansi P.S. Case
No.205/2021 instituted under Section 392,395,412 of the Indian
Penal Code.

The allegation in the FIR is that four unknown
persons barged into the home of the informant and looted 800
Grams of silver worth Rs.40,000/- and 110 Grams of gold worth
value of five lacks rupees and cash of Rs.25,000/- besides.

Learned counsel for the petitioner submits that the
allegation was against unknown and only because he has
criminal antecedent of the same nature, he was picked up and



later implicated in this case and the confessional statement made before the police cannot in any way have any bearing on the case in hand. He submits that he is the only bread earner in an extended family and he being in jail since 27.07.2021 (as stated in para-17 of the bail application) has completely starved his family. He lastly submits that if enlarged on bail he is ready to abide by any terms and conditions put by this Hon'ble Court. He has submitted that there has not been any recovery attributed to the petitioner.

Considering the aforesaid submissions made by counsel for the petitioner as also the fact that he is custody since 27.07.2020 and the charge sheet stands submitted, this Court is inclined to grant him privilege of bail but with strict conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sessions Trial No.308/2021 arising out of Mansi P.S. Case No.205/2021 to the satisfaction of learned Additional Sessions Judge, IV, Khagaria, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the trial to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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