

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21525 of 2022

Arising Out of PS. Case No.-468 Year-2020 Thana- BARAUNI District- Begusarai

Mantu Paswan @ Mantu Kumar @ Santosh Son of Ram Balam Paswan
Resident of Village - Bajrangpuri, P.S.- Alamganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-07-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Deepak Kumar Singh, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Barauni (Garhara) P. S. Case No. 468 of 2020 registered for the offences punishable under Sections 394 and 397 of the Indian Penal Code.

As per the prosecution case, it is alleged that four miscreants armed with weapons entered into the office of the informant and on the point of pistol they looted Rs. 4,91,200/-



from the cash counter and vault room, they also looted mobile phones and other valuables of the customers.

Learned counsel appearing on behalf of the petitioner submitted that the F.I.R. has been instituted against unknown persons and the name of the petitioner surfaced on the confessional statement of co-accused Karan Kumar and he has been remanded in this case on 15.12.2020 and since then he is in custody. It is further submitted that the petitioner was put on T.I.P but he has not been identified by the informant nor any incriminating material has been recovered from the person or possession of this petitioner and moreover, the investigation of the crime is already completed and the charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that the name of the petitioner has transpired during the course of investigation and he has a criminal antecedent.

Having considered the submissions made on behalf of the parties and taking into account the fact that the petitioner is not named in the F.I.R. and he was put on T.I.P., however, he has not been identified by the informant and moreover, he is in custody since 15.12.2000, let the petitioner, above named, be



released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Garhara) P. S. Case No. 468 of 2020, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.
- (v) 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 cancelling 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.

(Harish Kumar, J)

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