

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26724 of 2022**

Arising Out of PS. Case No.-37 Year-2021 Thana- ARWAL District- Jehanabad

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DEVENDRA KUMAR SON OF UMESH PASWAN @ UMESH KUMAR  
PASWAN R/ O-VILL- PIPARI, P.S.-AGRER DISTRICT\_ROHTAS

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Tiwary

For the Opposite Party/s : Mr.Ramesh Chandra

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      05-09-2022                      Let the defect(s), as pointed out by the office, be  
  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

The petitioner seeks bail in connection with Arwal  
  
P.S. Case No. 37 of 2021 registered for the offences punishable  
  
under Sections 392 of the Indian Penal Code.

As per prosecution case, informant is driver-cum-  
  
owner of Swift Dzire car bearing no. BR-01PK-9085 who has  
  
alleged that some unknown miscreants are said to have hired his  
  
vehicle at Patna Junction to proceed towards Bikram and when  
  
the informant alongwith the aforesaid miscreants reached near  
  
Chiraura, in the way, the said miscreants pointed pistol and  
  
snatched Rs. 4500/-, his mobile set alongwith the car of the



informant by dropping him on Arwal Canal Road at about 02:30 AM.

Learned counsel for the petitioner submits that petitioner is in custody since 17.08.2021. Petitioner bears one criminal antecedent of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the possession of the petitioner. Petitioner is not named in the F.I.R. Name of present petitioner came during the course investigation at para 38 of the case diary and the petitioner was remanded from another case i.e. Karpi P.S. Case No. 24 of 2021 as mentioned in the impugned order. Petitioner was not put on TIP.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not named in the F.I.R. nature of allegation, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal, District Arwal in connection with Arwal P.S. Case No. 37 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

**(Alok Kumar Pandey, J)**

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