

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28931 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- BARHARA District- Bhojpur

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Ravi Kumar Paswan, Son of Kishore Paswan @ Kishor Paswan, Resident of village - Naya Tola Manihari, P.S.- Manihari, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Priyanka Singh, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 21-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Barhara P.S. Case No. 56 of 2022 registered for
the alleged offences under Section 394 of the Indian Penal
Code.

As per the prosecution case, four miscreants
surrounded the informant and one of them fired in air and the
miscreants snatched the mobile phone of the informant from his
pocket and when he resisted, one of them fired upon in his
waist. The name of the petitioner transpired as an accused
during investigation.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The prosecution story is not believable that four persons were riding on a single motorcycle and no further loot was committed of any other article from the informant. The petitioner was not apprehended from the spot and no looted article has been recovered from the conscious possession of this petitioner. The name of the petitioner transpired in the confessional statement of co-accused Pankaj Modi. There is no further allegation against this petitioner. The petitioner is in custody since 28.02.2022. The charge sheet has been submitted in this case. The petitioner is having clean antecedent.

Learned A.P.P. opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and also considering the clean antecedent of the petitioner along with his period of custody and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection



with Barhara P.S. Case No. 56 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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