

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41821 of 2021**

Arising Out of PS. Case No.-10 Year-2019 Thana- INDUSTRIAL AREA District- Vaishali

GOVINDA PASWAN, Son of Kapildeo Paswan Resident of Village -  
Asadharpur, Thathan Bujurg, P.S. - Hajipur Sadar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rakesh Kumar Soni  
For the Opposite Party/s : Mr.Pramod Kumar Pandey

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

4      21-02-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect (s), if any, be removed within two  
weeks.

The petitioner, who is in custody since 01.06.2021,  
seeks regular bail in connection with Hajipur Industrial Area  
P.S. Case No. 10 of 2019, for the offence punishable under  
Section 394/34 of the Indian Penal Code.

The prosecution case, in brief is that informant,  
namely, Kukesh Kumar, Branch Manager, Bharat Finance  
Inclusion Ltd. Hajipur and his other associates namely, Ajay  
Kumar Mahto, who are stated to be Field Officer of said  
Finance Company, were returning after the collection of money  
by theirs respective motorcycle. It is further alleged that when



informant and his other associates reached at the road, three unknown miscreants shot fire on the informant as well as Ajay Mahto which hit the informant and Ajay Mahto and both fell down and after that aforesaid unknown miscreants snatched Rs. 1,50,000/- rupees in cash, one Tab One Nokia mobile and after that they were fled away. Later on aforesaid both injured were got admitted in Paras Hospital for treatment.

Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the FIR and his name has surfaced on the basis of confessional statement of co-accused, Kundan Kumar who has already been granted regular bail by a Coordinate Bench of this Court vide order dated 16.11.2019 passed in Cr. Misc. No. 55565 of 2019. Learned counsel for the petitioner further submits that nothing has been recovered from the conscious possession of the petitioner and informant has refused to identify the petitioner who was put on T.I. Parade as would appear in paragraph No.52 of the case diary. Learned counsel further submits that the petitioner is in custody since 01.06.2021.

Learned A.P.P. for the State has opposed the payer for grant of bail to the petitioner.

Considering the aforementioned facts and



circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Industrial Area P.S. Case No. 10 of 2019, 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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