

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32991 of 2022

Arising Out of PS. Case No.-379 Year-2020 Thana- MAHUA District- Vaishali

Golu Paswan Son of Barhemdev Paswan Resident of Village - Loknathpur
ganj, P.S.- Dalsingsarai, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 13-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mahua
P.S. Case No. 379 of 2020 registered for the offence under
Sections 395 and 412 of the Indian Penal Code and under
Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 26.04.2022.

The allegation against the petitioner is to commit
robbery, alongwith other co-accused persons in the shop of
informant running in the name and style of “*Hariom Jewellers*”
and taken away gold and silver ornaments alongwith cash of Rs.



2,000/-.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused Dharmendra Kumar and Rajesh Sahni, where in furtherance thereof, no incriminating material recovered/surfaced to connect this petitioner, *prima facie*, with present set of robbery. It is further pointed out that petitioner was not put on TIP, as yet. It is also submitted that as petitioner involved in 11 cases, his name surfaced in present case also on the basis of suspicion arises out of criminal antecedents. It is also pointed out that petitioner is on bail in all 11 cases, where in maximum of cases, his name surfaced on the basis of confessional statement, as of present case. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced from the possession of this petitioner to connect him with present



occurrence of robbery coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mahua P.S. Case No. 379 of 2020 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, Vaishali at Hajipur/concerned court, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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