

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33015 of 2022**

Arising Out of PS. Case No.-184 Year-2020 Thana- BACHHWARA District- Begusarai

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GOLU PASWAN @ SUDAMA PASWAN SON OF BRAHMDEV PASWAN
@ BRAHMDEO PASWAN RESIDENT OF MOHALLA- LOKNATHPUR
GANJ, P.S.- DALSINGSARAI, DISTRICT- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Petitioner seeks regular bail in Bachhwara P.S Case
No. 184 of 2020 registered for the offence punishable under
Section 392 of the Indian Penal Code.

As per allegation while the informant was returning
back to his home on motorcycle from Muzaffarpur, three
miscreants riding on a motorcycle intercepted him and looted
his motorcycle on the gun point.

It is submitted by Sri Alok Kumar Sinha, the learned
counsel appearing for the petitioner that petitioner is not named
in the FIR, his name surfaced in the statement of co-accused



Saurav Kumar who has been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 68731 of 2021 and two co-accused namely, Md. Nadim and Mithun Paswan have also been granted bail by different benches of this court vide order passed in Cr. Misc. no. 62068 of 2021 and Cr. Misc. no. 63203 of 2021 and after arrest, petitioner was not put on test identification parade and looted motorcycle was not recovered from his possession.

In rebuttal of the aforesaid submissions, Sri Mohammad Sufyan, learned APP appearing for the State has submitted that the present case relates to loot of a motorcycle committed by the accused persons on the point of pistol and the petitioner has criminal antecedent.

In view of above submissions and mainly considering petitioner's defence that after his arrest, he was not put on test identification parade and looted motorcycle was not recovered from his possession and the said defence has not been refuted by learned APP and while rejecting prayer for bail of the petitioner, learned court below mainly took into account criminal antecedent of the petitioner and as per learned counsel for the petitioner, investigation has been completed in respect of the petitioner.



In light of these facts, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai in Bachhwara P.S Case No. 184 of 2020.

(Shailendra Singh, J)

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