

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42875 of 2021

Arising Out of PS. Case No.-450 Year-2019 Thana- BIDUPUR District- Vaishali

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Satish Paswan, Son of Jawahar Bhagat @ Jawahar Paswan, Resident of
Village- Panapur Kyam, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-04-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of four weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Bidupur P.S. Case No. 450 of 2019 for the
offences punishable under Sections 399, 402, 413, 414 of the
Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the
Arms Act.

As per prosecution case, it is alleged that the police on
a secret information that some miscreants have assembled for
commission of serious offence, proceeded to the place of
occurrence and arrested one Sushil Kumar along with Pulsar



motorcycle. However, other miscreants succeeded to escape. The arrested accused person disclosed the name of this petitioner and other accused persons. It is further alleged that the police on the basis of disclosure of the arrested accused Sushil Kumar, arrested one another accused, namely, Sunny Kumar, and recovered stolen Apache motorcycle.

It is submitted on behalf of learned counsel for the petitioner that the petitioner was neither arrested at the spot nor any incriminating article has been recovered from the person or possession of this petitioner. It is further submitted that the petitioner is in fact remanded in this case on 03.01.2020 from Hajipur Nagar P.S. case no. 1052 of 2019 and since then he is in custody. It is next submitted that the co-accused Ravindra Kumar, whose name has also transpired on the disclosure of apprehended accused, has already been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 30111 of 2020 vide order dated 26.11.2020, as contained in Annexure-2 to this petition. It is also submitted that another co-accused, namely, Ajeet Kumar @ Rangdarwa @ Gulli, has also been granted bail by coordinate Bench of this Court in Cr. Misc. No. 3579 of 2021 vide order dated 13.04.2021. It is lastly submitted that the investigation has already been concluded and the charge-sheet



has also been submitted in this case and there is no chance of absconding of the petitioner and tampering with the evidence.

On the other hand, learned APP for the State opposes the bail application and has drawn the attention of this Court towards the involvement of the petitioner in a large number of cases.

Having considered the submissions made on behalf of the petitioner as well as State and taking into consideration this fact that the petitioner was neither arrested at the spot nor any incriminating material has been recovered from the person or possession of the petitioner, apart from the fact that the other accused persons, having similar allegations, have already been granted bail by different coordinate Benches of this Court and this petitioner is in custody since 03.01.2020, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 450 of 2019 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the



trial. (ii) He will remain present on each and every date of trial till disposal of the case. (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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