

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33861 of 2022**

Arising Out of PS. Case No.-338 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

DILIP PASWAN SON OF SHYAM BIHARI PASWAN R/O VILLAGE-  
DUMARIYA, P.S.- SASARAM (MUFASSIL), DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      28-11-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a young boy of 20 years of age and is a person with clean antecedent and the informant alleges that he was intercepted by six unknown criminals who looted his mobile, Rs. 500/- and took away his motorcycle.

Learned counsel for the petitioner submits that FIR was against unknown and the petitioner came to be implicated in the present case based on Sasaram Muffasil P.S. Case No.292 of 2020, it is next submitted that the impugned order mentions



that paragraph '40' of the case diary records that the looted motorcycle was in possession of the petitioner for reference to Sasaram Muffasil P.S. Case No.292 of 2020, the learned counsel submits that it absolutely does not stand to reason that the present FIR is instituted as Sasaram Muffasil P.S. Case No.338 of 2020 then how come it can be said that the said motorcycle which was looted in the present occurrence was in possession of the petitioner for reference in Sasaram Muffasil P.S. Case No.292 of 2020.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sasaram Muffasil P.S. Case No.338 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. with a further condition that one of the bailors of the petitioner shall be his



father, Shyam Bihari Paswan.

The learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedents and in the event, if it is found that petitioner has criminal antecedent, then the present anticipatory bail order shall not be acted upon.

**(Satyavrat Verma, J)**

Rishi/-

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