

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.43994 of 2021**

Arising Out of PS. Case No.-24 Year-2021 Thana- KARPI District- Jehanabad

Devendar Kumar Son Of Umesh Paswan @ Umesh Kumar Paswan Resident
Of Village - Pipari, P.S. Agarer Gotpa, District – Rohtas. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh.1, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 18-02-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Amitesh Kumar, learned APP for the State.

Petitioner in the present case is seeking regular bail in connection with Karpi P.S. Case No. 24 of 2021 registered for the offence punishable under Section 392 of the Indian Penal Code. He has no criminal antecedent and is in custody since 03.02.2021.

Learned counsel for the petitioner submits that as per the prosecution story, the informant is the owner and driver of his Deziere Toors Car bearing Registration No. BR01PK-8083 and runs the same under Ola company and in that course two persons boarded in his vehicle in the night at 10:00 p.m. at Karbigahiya Railway Station and proceeded for Naubatpur where two more persons boarded in the vehicle and they proceeded for Arwal where all the four persons put



the informant in fear and one of them sat on the driving seat and they threw the informant out of the vehicle and fled away with his car.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is submitted that the petitioner has been arrested from a Railway Gumti by Police while he was crossing the Gumti and his confessional statement has been extracted in police custody. It is further submitted that though the petitioner is not named in the FIR, till date he has not been put test identification parade and the petitioner having no criminal antecedent is in custody since 03.02.2021.

Learned counsel submits that investigation against him is complete and his appearance during trial may be secured.

Mr. Amitesh Kumar, learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the submission that the petitioner was arrested from a Railway Gumti by Police while he was crossing the Gumti and his confessional statement has been extracted in police custody, till date no test identification parade has been conducted and the petitioner who has otherwise having no criminal antecedent remained in custody since 03.02.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M. IV, Arwal in connection with Karpi P.S. Case No. 24 of 2021, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

