

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34384 of 2022**

Arising Out of PS. Case No.-122 Year-2021 Thana- ARA NAWADA District- Bhojpur

BANTI PASWAN @ BANTI KUMAR SON OF KAMAL PASWAN R/O  
VILLAGE- BASHIRO, P.S.- ARA NAWADA, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Uday Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      12-09-2022      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The case is registered under Section 394 of the  
Indian Penal Code in connection with Ara Nawada Police Station  
Case No. 122 of 2021.

As per the allegation, four young persons covering  
their face entered the shop of the informant and on the pistol  
point took away Rs. 70-80 thousands.

He further got information that the nearby shop  
was also looted by the same accused persons and Rs. 8-10  
thousands were taken away by them.

Learned counsel for the petitioner submits that in



course of investigation, his name has cropped up in the confessional statement of co-accused Kallu Paswan although nothing has been recovered from his conscious possession or his house. His last submission is that the petitioner is in custody since 15.7.2021 ( as stated in para-9 of the bail application).

Learned APP submits that his name has come up in the confessional statement and the same cannot be ignored in view of the fact that he has criminal antecedent.

Considering the fact that his name has come in the confessional statement of co-accused Kallu Paswan, nothing has been recovered from his conscious possession or his house and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail after framing of charges in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate Bhojput at Ara in connection with Ara Nawada Police Station Case No. 122 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/Ajay Singh

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