

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43941 of 2021

Arising Out of PS. Case No.-117 Year-2021 Thana- SHERGHATI District- Gaya

DILIP PASWAN S/O LATE HARI PASWAN R/O MOHALLA-STATION
MAL GODOWN, P.S-KOTWALI, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Sherghati P.S. Case No. 117 of 2021 for the offence registered under Sections 395, 397 and 412 of the Indian Penal Code.

The allegation is regarding unknown miscreants having entered the room where the informant and others were residing whereafter they are alleged to have looted cash amount and mobile phone from the informant and his companion.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 10.03.2021. The learned counsel for the petitioner has further submitted that no Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime and no recovery of any incriminating article has been made from



the petitioner. It is also submitted that the petitioner has been falsely implicated in the present case upon disclosure made by the co-accused person namely Dina @ Deepu in his confessional statement before the police.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that no Test Identification Parade has been held till date so as to connect the petitioner with the alleged occurrence and moreover no stolen articles have been recovered from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned A.C.J.M., Sherghati, Gaya in connection with Sherghati P.S. Case No. 117 of 2021.

(Mohit Kumar Shah, J)

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