

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46119 of 2021

Arising Out of PS. Case No.-48 Year-2017 Thana- GANGABRIDGE District- Vaishali

RAJU PASWAN Son of Bishwanath Paswan Resident of Village-
Shahdullahpur (chakfarid), P.S.- Biddupur, Dist- Vaishali (Hajipur).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachchidanand Choudhary, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 25-02-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Gauri Shankar Gupta, the learned APP for the State.

The petitioner seeks regular bail in connection with Ganga Bridge PS case no. 48 of 2017 instituted for the offences punishable under Section 379 of Indian Penal Code.

The allegation is regarding the Scooty of the informant having been stolen by unknown miscreants and it is alleged that in the dickey of the said Scooty, a sum of Rs. 1,63,000/- was kept.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 10.02.2021. The learned counsel for the petitioner has further submitted that the petitioner was first of all made an accused in another case and thereafter, he has been roped in the present case after his confessional statement was recorded by the police.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that the recovery of the Scooty has been made from the house of the petitioner, hence if at all the petitioner is to be granted the privilege of bail, some strict conditions should be imposed, to which, the learned counsel for the petitioner has not objection.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is languishing in custody since more than a year, though I deem it fit and proper to admit the petitioner to the privilege of bail, however subject to certain conditions.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs.



Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Vaishali at Hajipur in connection with Ganga Bridge PS case no. 48 of 2017.

It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10 am on every Monday, starting from the day he is released on bail, and in case of failure to do so on two consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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