

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46064 of 2021**

Arising Out of PS. Case No.-49 Year-2020 Thana- EKANGARSARAI District- Nalanda

SHASHI PASWAN @ SHASHI KUMAR Son of Raju Paswan @ Rajju
Paswan Resident of village - Vrijpur, P.S.- Noorsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

7 21-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Ekangarsarai P.S. Case No. 49 of 2020 registered for the
offence under Sections 394 of the Indian Penal Code.

The petitioner along with his associates are said to
have committed loot in the Bank on the point of gun.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. In fact, the petitioner has not been
named in the F.I.R. but on the basis of confessional statement
of the co-accused, name of this petitioner has surfaced in
this case during course of investigation. Neither the



petitioner has been put on T.I.P. by the prosecution nor anything incriminating has been recovered from his exclusive possession. The petitioner is rotting in judicial custody since 02.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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.- Hilsa, Nalanda in connection with Ekangarsarai P.S. Case No. 49 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

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 step 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.

(Rajesh Kumar Verma, J)

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