

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37069 of 2022**

Arising Out of PS. Case No.-26 Year-2021 Thana- BUNIYAD GANJ District- Gaya

HIRDAY PASWAN @ HRIDAY PASWAN Son of Shankar Paswan Resident
of Krit Nawada, P.S.- Chandauti, District – Gaya. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

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

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

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

2 29-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The petitioner is an accused in connection with
Buniyadganj P.S. Case NO. 26 of 2021 under Section 395 of
the Indian Penal Code.

As per the prosecution story, five unknown accused
persons entered in the house -cum- hotel of the informant and
on the pistol point, snatched Rs. 1,000/- from the counter. In the
meantime, 8-9 unknown accused persons also came there and on
the gun point snatched mobile and other materials presence in
the house. Accordingly, the FIR was instituted.

Learned counsel for the petitioner submits that he has
not been named in the First Information Report and his name
cropped up in the confessional statement of co-accused, Anuj



Paswan although, nothing has been recovered from his possession. It is his last submission that some of the co-accused persons have since been granted the privilege of bail vide order dated 23.09.2022 passed in Cr. Misc. No. 34426 of 2022 by a co-ordinate Bench of this Court.

Let the same be kept on record.

Considering the fact that he is in custody since 06.03.2021, nothing has been recovered from his possession, charge sheet stands submitted and other co-accused persons have been released on bail as stated above, this Court is inclined to grant him privilege of bail with conditions.

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 learned ACJM-VIII, Gaya in connection with Buniyadganj P.S. Case NO. 26 of 2021, subject to strict conditions in view of the fact that petitioner has six criminal cases under his belt.

(i) one of the bailor should be the family member 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 reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall leave the district Gaya for a period of three month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station concerned (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

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

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

U		T	
---	--	---	--

