

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51317 of 2021

Arising Out of PS. Case No.-308 Year-2013 Thana- MINAPUR District- Muzaffarpur

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KANGA @ KANGWA @ RAMAVDESH PASWAN@ AVDESH PASWAN
S/o Late Gagandev Paswan R/o village- Maniyarpur, P.S.- Rajepur, Distt.-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan NO.II, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Meenapur P.S.
Case No. 308 of 2013 registered for the offences punishable
under Sections 395, 397 of the IPC.

The FIR of the occurrence of dacoity is against
unknown.

Learned counsel for the petitioner submits that



petitioner is not named in the FIR and he has falsely been implicated in the present case. It is further submitted that name of the petitioner has been transpired on the basis of confessional statement of co-accused Ram Pravesh Sahni. It is further submitted that petitioner has not been put on TIP as yet. It is further submitted that co-accused Shatrughan Ram @ Rai has been granted bail by a co-ordinate Bench of this court vide order dated 04.02.2015 passed in Cr. Misc. No. 47000 of 2014. Similarly, co-accused Gajendra Rai has been granted bail by a co-ordinate Bench of this court vide order dated 13.03.2015 passed in Cr. Misc. No. 8513 of 2015. Similarly, co-accused Ram Pravesh Sahni has been granted bail by a co-ordinate Bench of this court vide order dated 16.09.2015 passed in Cr. Misc. No. 42489 of 2015. It is further submitted that petitioner was arrested in Rajepur P.S. Case No. 12 of 2013 on 12.12.2014 and he was remanded in the present case on 02.12.2020 and since then he is in custody.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries six criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Meenapur P.S. Case No. 308 of 2013, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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