

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52587 of 2021**

Arising Out of PS. Case No.-111 Year-2020 Thana- PHULWARIA District- Begusarai

RAJAN KUMAR @ RAJAN KUMAR PASWAN S/o Umesh Paswan R/O-
Village- Pipra Dewas, P.S.- barauni, Dist.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

6 21-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

A supplementary affidavit, carrying out necessary correction in the main application, has been filed on behalf of the petitioner, which forms part of this application.

The petitioner seeks bail in a case registered for the offence under Sections 392 of the Indian Penal Code.

Some unknown persons are said to have assaulted the informant along with his maternal uncle and snatched Rs. 80,000/-

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the



petitioner has not been named in the F.I.R. but merely on the basis of confessional statement of the co-accused, Chandan Kumar, he has been made accused in this case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner nor any T.I.P. has been conducted by the prosecution as yet. He further submits that the similarly situated co-accused, Ram Kumar Yadav has already been granted bail by this Court vide order dated 02.02.2022 passed in Cr. Misc. No. 58009 of 2021. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 24.12.2020.

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 Court below where the case is pending in connection with Fulwariya P.S. Case No. 111 of 2020 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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