

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44455 of 2022

Arising Out of PS. Case No.-320 Year-2020 Thana- DARBHANGA District- Darbhanga

Golu Paswan @ Sudama S/O Barhamdev Paswan R/o Mohalla- loknathpur
ganj, P.S.- Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. N. A. Shamsi, Advocate
For the State : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Town P.S.
Case No.320 of 2020 registered for the offence under Sections
395 and 397 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.02.2021.

The allegation against the petitioner is to commit
dacoity and while committing so looted jewellery worth
Rs.5,50,00,000/- (Rupees Five Crores Fifty Lakh) and cash from



the shop of informant.

Learned counsel appearing on behalf of the petitioner submitted that name of petitioner surfaced on the basis of confessional statement of co-accused, namely Vikash Kumar Jha and Tarun Kumar Mahto, where in furtherance thereof no incriminating material recovered/surfaced during the course of investigation, which may incriminate this petitioner with the preset set of dacoity/occurrence. It is also pointed out that there is no recovery of any gold jewellery or any alleged looted items from the possession of this petitioner. It is further submitted that petitioner was not put on T.I.P. It is also submitted that similarly situated co-accused, namely Aman Kumar, has already been granted bail by one the learned Co-ordinate bench of this Court by Cr. Misc. No.29415 of 2021, vide order dated 21.10.2021. It is also submitted by learned counsel that petitioner is named in 7 more criminal cases, where he is on bail and his criminal antecedent is also one of the reason of the suspicion to implicate him with the present occurrence, having otherwise no bearing over merit of this case. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.



Learned APP appearing on behalf of the State, while opposing the prayer of bail fairly conceded that petitioner is not named in the F.I.R.

In view of the facts and circumstances as mentioned above as no incriminating material recovered from the possession of this petitioner to connect with the present set of occurrence, where petitioner is in custody since 08.02.2021 coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Town P.S. Case No.320 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darghanga/concerned court, subject to following conditions:-

(i) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly



supported by the documents.

(ii) That one of the bailors
shall be deponent of the present bail
petition.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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

