

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63887 of 2021

Arising Out of PS. Case No.-41 Year-2020 Thana- MOTIPUR District- Muzaffarpur

ARJUN PASWAN S/o Shiv Paswan @ Shibu Paswan Resident of Village-
Fardogola, Bhamash, Dwar, Mai Asthan, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioner and learned
APP who represents the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Motipur P.S. Case No.41 of 2020 (Sessions Trial No. 175
of 2021) instituted under Section 395 of the Indian Penal Code.

It is a case of loot of the Bank in which it is alleged
that Rs.13,53,810/- was looted from the Bank of India, Motipur
Branch, Muzaffarpur. The petitioner is alleged to be one of
them. The case was registered against unknown by the Branch
Manager, Mr. Amarjeet Kumar Singh.

Learned counsel for the petitioner submits that the
case was registered against unknown. Subsequently the name of



the petitioner cropped up in course of investigation on the confessional statement of one Rajnish Thakur whereafter he was remanded on 31.10.2020 (as stated in para-16 of the bail application). She further submits that accused Rajnish Thakur has since been granted bail vide Cr. Misc. No.5694 of 2021 on 12.04.2021 by a co-ordinate Bench of this Court. She further submits that the other accused persons have also been granted bail vide Cr. Misc. No.11335 of 2021 (Badal Kumar Singh & Akash) on 08.07.2021, Cr. Misc. No.12910 of 2021 (Lokesh Thakur) on 17.06.2021, Cr. Misc. No.14253 of 2021 (Awinash Singh @ Avinash Singh @ Aninav Kumar) on 01.09.2021, Cr. Misc. No.14278 of 2021 (Abhishek Kumar) on 07.09.2021 and Cr. Misc. No.31720 of 2021 (Sourav Anand) on 26.08.2021.

Mr. Jitendra Kumar Singh, learned APP submits that it is a Bank dacoity and the petitioner's name has come up in course of investigation. He however, concedes that the co-accuseds of the case have been granted the privilege of bail.

Taking into account the aforesaid facts including the period of incarceration of the petitioner as also that charge sheet stands submitted and the other co-accuseds have since been granted bail, this Court is inclined to grant him privilege of bail with strict conditions considering the fact that he has criminal



antecedent of same nature.

Let the petitioner be released on bail on furnishing bail bond of Rs.20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each in connection with Motipur P.S. Case No.41 of 2020 to the satisfaction of learned Additional Sessions Judge, 19th, Muzaffarpur, subject to following conditions:

(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 reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the trial to mark his presence;

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

(v) the petitioner shall desist from committing any



criminal offence again failing which the State shall be at liberty
to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/-

U			
---	--	--	--

