

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.53072 of 2022**

Arising Out of PS. Case No.-217 Year-2022 Thana- RAFIGANJ District- Aurangabad

NARESH PASWAN S/o Ramkrit Paswan R/o village- Bahadurpur, P.S.-
Rafiganj, District- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-12-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by the Stamp Reporter
within two weeks from today.

Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Atul Chandra, learned APP
for the State.

The petitioner in this case is seeking regular bail in
connection with Rafiganj P.S. Case No. 217/2022 registered
under Section 385/386 of the Indian Penal Code. They have no
criminal antecedent and is in custody since 12.07.2022.

Learned counsel for the petitioner submits that as per
the prosecution story in the name of Maowadi a demand of levy
was made but no ransom was paid.

It is submitted that the petitioner is in custody since



12.07.2022 at this stage, the investigation is complete. The name of this petitioner has transpired in the confessional statement of the co-accused Bhim Paswan and said Bhim Paswan has been granted bail in Cr. Misc. No. 50126 of 2022.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having considered the facts and circumstances of the case, wherein the name of this petitioner has transpired in the confessional statement of the co-accused Bhim Paswan and said Bhim Paswan has been granted bail in Cr. Misc. No. 50126 of 2022, the petitioner has no criminal antecedent and has remained in custody in connection with this case since 12.07.2022, investigation against him is complete and there is no submission on behalf of the State that the release of the petitioner at this stage is likely to result in tampering with the evidence or interfering with the course of trial or his presence may be secured in course of trial, therefore, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 217 of 2022, subject to the



condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

The application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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