

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65051 of 2021**

Arising Out of PS. Case No.-139 Year-2021 Thana- BALIYA District- Begusarai

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RUPESH KUMAR PASWAN Son of Rambalak Paswan Resident of Village -
Bhagatpur, P.S.- Balia, Distt.- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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

2 06-05-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Suresh Prasad Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Balia P.S. Case No. 139 of 2021 registered
for the offences punishable under Section 392 of the Indian
Penal Code and later on Section 411 I.P.C. was added. He is in
custody since 19.06.2021 having two criminal antecedents as
stated in paragraph '3' of the application.

As per the prosecution story, the informant has
alleged that on 17.05.2021 while she was going to her house
from Begusarai to Sadipur Diyara along with her *dewar*, two



accused persons stopped them and one of them put pistol on his *dewar* Priyanshu and another snatched her purse. The informant further stated that in her purse two mobile phones, one Pan Card and Rs. 3000/- were there.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the looted material which is said to have been recovered from possession of the petitioner was not found from the conscious possession of the petitioner.

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

Having regard to the submission that though the petitioner is in custody since 19.06.2021 and till date no Test Identification Parade has been conducted, there is no identification of the petitioner and further submission that the looted material which is said to have been allegedly recovered from the possession of the petitioner was not found from the conscious possession of the petitioner, he has remained in custody since 19.06.2021, investigation against him is complete and his presence may be secured in course of trial as also that he is on bail in two cases stated in paragraph '3', this Court directs release of the petitioner above named on bail on furnishing of



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, Begusarai in connection with Balia P.S. Case No. 139 of 2021, 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 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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

