

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66618 of 2021

Arising Out of PS. Case No.-445 Year-2019 Thana- BIDUPUR District- Vaishali

Satish Paswan Son Of Jawahar Bhagat @ Jawahar Paswan Resident Of
Village- Panapur, Kyam, P.S- Bidupur, Dist- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bidupur P.S. Case No. 445 of 2019 registered for the alleged offences under Section 392 of the Indian Penal Code.

As per prosecution case, three persons assaulted the informant and looted him. They looted his motorcycle, mobile phone and wallet containing Rs. 4500/-, Aadhar card, driving license, Voter ID card and the work permit for Malaysia, ATM card of IDBI Bank and passport size photographs. The name of the petitioner transpired during the investigation as one of the accused



persons.

Learned counsel for the petitioner submits that nothing incriminating has been recovered from possession of the petitioner to connect him with the present case. No arms or ammunition were recovered from this petitioner. The name of the petitioner transpired on the basis of confessional statement of co-accused Sushil Kumar recorded in some other case, wherein he admitted his involvement in that case as well as in present case and also named this petitioner as an associates. Except for this confessional statement, there is nothing against this petitioner on record. Charge sheet has been submitted in this case and the petitioner is in custody since 10.02.2020

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner is a habitual offender and he is accused in a number of similar cases.

Perused the records.

Having regard to the submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner who was not apprehended from the spot and further considering his period of custody along with submission of charge sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Vaishali at Hazipur in connection with Bidupur P.S. Case No. 445 of 2019, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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