

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55920 of 2022**

Arising Out of PS. Case No.-91 Year-2022 Thana- SULTANGANJ District- Bhagalpur

CHAMAK LAL PASWAN Son of MAHESH PASWAN Resident of village-
Jagaria, P.S- Sahkund, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 16-12-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with
Sultanganj P.S. Case No. 91 of 2022 registered for the offences
punishable under Sections 379 and 411 of the IPC.

As per prosecution case, motorcycle in question of
informant was stolen away from Shitla Asthan.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR. During the course of
investigation petitioner alongwith co-accused Suresh Pawan was
apprehended with the stolen motorcycle by Asarganj Police
Station under Munger District. He further submits that petitioner



is in custody since 17.06.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner has no concern with the co-accused Suresh Paswan and petitioner has just taken lift from the said co-accused and unfortunately he was apprehended by the police alongwith co-accused. He further submits that petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Bhagalpur, or successor court in connection with Sultanganj P.S. Case No. 91 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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