

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67728 of 2021**

Arising Out of PS. Case No.-70 Year-2021 Thana- KATIHAR MUFFASIL District- Katihar

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MOHAN PASWAN Son of Late Basudev Paswan Resident of Mohalla-
Durga Sthan, Rajendra Gram, P.S.- Katihar Town, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv

For the Opposite Party/s : Mr.Jagdhar Prasad,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 26-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Section 392 of the IPC.

The FIR of the occurrence of loot is against

unknown.

Learned counsel for the petitioner submits that

petitioner is not named in the FIR. The name of the petitioner

has transpired only on the basis of self-confessional statement of

the petitioner. He further submits that it appears from the seizure

list that nothing has been recovered from conscious possession



of the petitioner rather the recovery has been made from near Durga Sthan. He further submits that similarly situated co-accused, namely, Mahboob Alam has been granted bail vide order dated 03.02.2022 in Cr. Misc. No. 58567 of 2021 by this Hon'ble Court and the petitioner is in custody since 28.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Muffasil (Katihar) P.S. Case No. 70/ 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.



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.

(Rajesh Kumar Verma, J)

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