

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67451 of 2021

Arising Out of PS. Case No.-609 Year-2021 Thana- ARARIA District- Araria

1. VISHAL PASWAN Son of Manoj Paswan R/O village - Matiyari, Ward No.- 10, P.S.- Mahalgaon, District - Araria.
2. Chotu Kumar Paswan @ Chhotu Paswan Son of Bishundeo Paswan @ Bishandev Paswan R/O village - Matiyari, P.S.- Mahalgaon, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subesh Sharma, Adv
For the Opposite Party/s : Mr.Anil Kumar, APP

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 petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

The prosecution case, is that, on 17.07.2021 the informant was coming from Gulabganj riding his motorcycle having cash of Rs.80,000/- and when reach to Lahtora Chowk, the culprits riding on motorbike from behind



overtook the vehicle of informant and thereafter one of the culprits started slapping the informant while other culprit pointed fire arms by giving threat to life otherwise to handover the money and thus the culprits have snatched the informant purse containing Rs.30,000/- and Adhar Card, Pan Card and also took out Rs.50,000/- cash from the pocket of informant as well as Android Mobile and both the culprits ran away from there.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. He further submits that the petitioners are not named in the FIR. The name of the petitioners has transpired on the basis of confessional statement of co-accused, namely, Ziabuddin Alam. He further submits that Adhar Card and Pan Card of the informant was recovered from possession of the petitioners. He further submits that co-accused, namely, Ziabuddin Alam has been granted bail by the learned court below itself and the petitioners are in custody since 22.07.2021.

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

Considering the facts and circumstances of the case,



let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Araria Police Station Case No.609 of 2021, with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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