

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5368 of 2022

Arising Out of PS. Case No.-33 Year-2021 Thana- WAJIRGANJ District- Gaya

1. Satrugan Paswan @ Jhotali, Son of Krishna Paswan,
2. Arjun Paswan, Son of Nathun Paswan,
3. Bhutali Paswan, Son of Nathun Paswan,
4. Santu Kummar @ Bhanta, Son of Awadhesh Paswan @ Bhola Paswan

All are Residents of Village - Krit Nawada, P.S.- Chandauti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60203 of 2022

Arising Out of PS. Case No.-33 Year-2021 Thana- WAJIRGANJ District- Gaya

Anuj Paswan, Son of Shankar Paswan, Resident of Village - Kritnawada, P.S.-
Chandauti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 5368 of 2022)

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

(In CRIMINAL MISCELLANEOUS No. 60203 of 2022)

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 14-12-2022 Since both the applications arise out of Wazirganj P.S.

Case No. 33 of 2021, as such, they have been taken up together

and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned

APP for the State.

Let the defect (s), as pointed out by the office, be



removed within a period of four weeks.

In the present case, the petitioners seek bail in connection with Wazirganj P.S. Case No. 33 of 2021, registered for the alleged offences under Sections 395 and 397 of the Indian Penal Code.

As per prosecution case, a dacoity was committed in the house of the informant and a number of articles including cash, jewellery and mobile phone were looted from his house. The name of the petitioners transpired as accused during investigation.

The learned counsel for the petitioners submit that the petitioners have not been named in the FIR and they were not apprehended from the spot and nothing incriminating has been recovered from their conscious possession. The petitioners have not been put to any Test Identification Parade, though the informant claimed that he could identify the miscreants. The charge-sheet has been submitted in this case and the petitioners are in custody since 17.06.2021 and 06.04.2021, respectively.

Learned APP opposes the prayer for bail submitting that the petitioners are habitual offenders and are accused in a number of cases of the similar nature.

Perused the record.



Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge-sheet along with period of custody of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Gaya in connection with Wazirganj P.S. Case No. 33 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

U		T	
---	--	---	--

