

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67870 of 2021

Arising Out of PS. Case No.-29 Year-2019 Thana- NATWAR District- Rohtas

SURENDRA PASWAN @ SURENDRA RAM S/o Banarasi Paswan R/o
village- Tilai, P.S.- Sanjhauli, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh, Advocate Mrs. Riya Singh, Advocate
For the Opposite Party/s	:	Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-09-2022 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 S. Tr. No. 248 of 2021 arising out of Natwar P.S. Case No. 29 of 2019 registered for the alleged offences under Section 392 of the Indian Penal Code.

As per prosecution case, the informant was robbed of Rs. 1,80,000/- and a motorcycle by three youths riding a motorcycle at gun point. The name of the petitioner transpired during investigation as one of the accused persons.

Learned counsel for the petitioner submits that the



petitioner is not named in the F.I.R. and nothing incriminating has been recovered from his possession or at his instance. The petitioner has been named in this case by the co-accused persons in their confessional statement and all these co-accused persons have been granted bail by the different Coordinate Benches vide order dated 09.09.2019 passed in Cr. Misc. No. 56638 of 2019, vide order dated 04.11.2019 passed in Cr. Misc. No. 67168 of 2019 and vide order dated 04.12.2019 passed in Cr. Misc. No. 69060 of 2019. The petitioner is in custody since 19.03.2021. He is accused in another case but he is on bail in that case. Charge sheet has been submitted in this case against the petitioner.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner is having criminal antecedent. However, he concedes that no recovery has been shown from this petitioner.

Perused the record.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner or at his instance and further considering his period of custody along with submission of charge sheet against the petitioner, 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 Additional Sessions Judge-8th, Rohtas at Sasaram, in connection with Natwar P.S. Case No. 29 of 2019, 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 petitioner.
- (ii) The petitioner 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 bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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