

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68276 of 2021

Arising Out of PS. Case No.-293 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

SAJAN PASWAN @ SAHIL PASWAN Son of Raju Paswan Resident of
Village- Barkurwa, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 26.06.2021, seeks
regular bail in connection with Motihari P.S. Case No. 293 of
2021 registered for offences punishable under Section 392 of the
Indian Penal Code.

Prosecution story in brief is that total looted money
amounting Rs. 2,09,250/-. The incidence took place near
Santpur Bandh on 07.06.2021 and recovery of Rs. 18,000/- was
made from the possession of the petitioner on 25.06.2021.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is not named in the F.I.R. Petitioner is
innocent and has falsely been implicated in the present case.



Petitioner has not been put on T.I.P. till date. Simply because two cases are pending against the petitioner, the petitioner has been roped in the present case. Petitioner is in custody since 26.06.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Taking into consideration that FIR is against unknown, petitioner has not been put on T.I.P. till date, petitioner is in custody since 26.06.2021, there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded in near future, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari P.S. Case No. 293 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



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

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(vi) The petitioner will make his attendance before the concerned police station under which his house is located every fortnightly till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

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