

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68864 of 2021

Arising Out of PS. Case No.-299 Year-2021 Thana- DUMRAO District- Buxar

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Bitu Paswan @ Manjhil Paswan @ Manjhil S/o Dadan Paswan Resident of
Village- Nandan, P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 70839 of 2021

Arising Out of PS. Case No.-299 Year-2021 Thana- DUMRAO District- Buxar

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Pintu Kumar Son of Birendra Yadav @ Birendra Singh Resident of Village-
Nandan Me Kedar Baba Ke Dera, P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 68864 of 2021)

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

(In CRIMINAL MISCELLANEOUS No. 70839 of 2021)

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-05-2022 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 as well as

learned APP for the State.

Petitioners seek bail in a case registered for the



offences punishable under Section 395 of the Indian Penal Code.

The F.I.R. of the occurrence of loot is against unknown.

Learned counsel for the petitioners submit that the petitioners are not named in the F.I.R. and the name of the petitioners have been transpired only on the basis of confessional statement of co-accused in Dumraon P.S. Case No. 326 of 2021. He further submits that nothing has been recovered from the conscious possession of the petitioners and till date no test identification parade has been conducted by the prosecution according to Section 54(A) of the Cr. P.C. Police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 18.08.2021 and 21.09.2021 respectively.

Learned APP for the State has opposed the prayer for bail of the petitioners and submits that the petitioners carries one more case other than the present one.

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/- (Rupees 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 Dumraon P.S. Case No. 299 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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