

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69700 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- BANGAWON District- Saharsa

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ROHIT KUMAR PASWAN @ ROHIT PASWAN S/o Nanhki Paswan @
Nanki Paswan Residing at D.B. Road, Saharsa, Ward No. 10, P.O., P.S. and
District- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2022

Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Bangaon P.S. Case No. 15 of 2021 registered under
Sections 413, 414, 467 and 468/34 of the Indian Penal Code.

The allegation in the FIR is that the police upon
information raided a place and nabbed one person namely,
Goutam Kumar. A Search was made whereafter a knife and
Sumsung mobile phone were recovered. Beside, two
motorcycles were also recovered which the accused persons
stated that the same have been stolen by his associates, namely,
Rahul Kumar, Deoraj and Rohit Kumar Paswan @ Rohit



Paswan (the petitioner herein). Accordingly, the FIR was instituted and the petitioner, who also has criminal antecedent came into judicial net and he is in jail since 24.06.2021 (as stated in paragraph-20 of the bail application).

Learned counsel for the petitioner submits that he was neither arrested from the spot nor any incriminating article has been recovered from his possession rather on the basis of the confessional statement made before the police by the apprehended person, his name has come. He further submits that the said Goutam Kumar, who was apprehended from the spot, has since been released on bail by a co-ordinate Bench of this Court on 15.04.2022 passed in Cr.Misc. No. 48763 of 2021.

Let the order be kept on record.

Taking into account the fact that the petitioner has not been arrested from the spot nor any incriminating article has been recovered from his possession rather his name has come on the confessional statement of accused person who has since been granted bail and he is in jail since 24.09.2021, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of like amount each to the satisfaction of A.C.J.M., -1st,



Saharsa in connection with Bangaon P.S. Case No. 15 of 2021,
subject to the following conditions.

(i) one of the bailor should be the family member of
the petitioner, who shall provide official document to show
his/her *bona fide*;

(ii) the petitioner shall appear on each and every date
before the Trial Court and failure to do so for two consecutive
dates without plausible reasons will entail his cancellation of
bail by the Trial Court itself;

(iii) he shall appear before the concerned police
station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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