

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70864 of 2021**

Arising Out of PS. Case No.-302 Year-2019 Thana- PHULPARAS District- Madhubani

MEGHNATH PASWAN @ MEGHANATH PASWAN Son of Hira Paswan  
Resident of Village - Bel Mohan, Police Station - Phulparas, District -  
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv  
For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      29-04-2022                      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 petitioner and learned APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the offence punishable under Sections 395,397 of the IPC.

As per the prosecution case, 10 accused persons with their faces covered are stated to have committed dacoity in the house of the informant. They injured the informant and also his wife and looted various articles as mentioned in the FIR.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case



and in fact the petitioner is not named in the FIR. The name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Heera Kumar Paswan. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner and till date no T.I. Parade has been conducted by the prosecution and except the confessional statement of co-accused, nothing has come during investigation against the petitioner and the petitioner is in custody since 30.12.2019. He further submits that similarly situated co-accused, namely, Mithun Paswan has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 17.11.2021 passed in Cr.Misc. No. 22082 of 2021 and another co-accused, namely, Md. Mushatakim @ Md. Isharafil has been granted bail vide order dated 27.04.2022 in Cr. Misc. No.65683 by this Hon'ble Court.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries thirteen more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below



where the case is pending in connection with Phulparas P.S.  
Case No. 302 of 2019, with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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