

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43863 of 2021

Arising Out of PS. Case No.-898 Year-2020 Thana- FORBESGANJ District- Araria

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AASHISH PASWAN @ ASHISH KR . PASWAN S/o Pramod Paswan
Resident of Village- Dhobajja, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 71877 of 2021

Arising Out of PS. Case No.-898 Year-2020 Thana- FORBESGANJ District- Araria

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ANSHU KUMAR SAH Son of Binod Sah Resident of Village - Tedi Mushari,
Ward No.-04, P.S. - Forbesganj, Dist. - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 43863 of 2021)

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 71877 of 2021)

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-04-2022 Heard the parties.

Both the aforesaid bail applications have been heard together and are being disposed of by a common order as they arise out of same PS Case Number i.e., Forbesganj PS Case No. 898/2020.

Petitioners seek regular bail in connection with



Forbesganj PS Case No. 898/2020 registered for the offence punishable under Section 392 of the IPC.

As per First Information Report, three unknown miscreants accosted the informant and on the gun point snatched a sum of Rs. 48,580/- along with a mobile.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of a confessional statement made by a co-accused, namely, Chhotu Kumar Mehta in Forbesgang PS Case No. 954/2020 and except the confessional statement made by the co-accused, no material has come against the petitioners to connect them with the present offence. Learned counsel next submits that the petitioners have not been put on test identification parade and petitioner, Aashish Paswan @ Ashish Kr. Paswan is in custody since 29.01.2021 while petitioner, Anshu Kumar Sah is in custody since 03.12.2020. Charge-sheet has already been submitted and there is no likelihood that the petitioners will abscond or tamper with the evidences.

Regards being had to the submissions made by the parties and taking into consideration the fact that petitioners have been made accused on the basis of confessional statement of a co-accused, they are in custody since 29.01.2021 and



03.12.2020 respectively and the charge-sheet, in the matter, has been submitted, I am inclined to grant regular bail to the petitioners subject to the condition that petitioners will be well represented on each and every date in the trial and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

Accordingly, let the petitioners, 1. Aashish Paswan @ Ashish Kr. Paswan (Cr. Misc. No. 43863/2021) and 2. Anshu Kumar Sah (Cr. Misc. No. 71877/2021) be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj PS Case No. 898/2020.

(Anil Kumar Sinha, J)

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