

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.108 of 2022**

Arising Out of PS. Case No.-103 Year-2021 Thana- KATIHAR MUFFASIL District- Katihar

DHIRAJ KUMAR PASWAN SON OF DEO NARAYAN PASWAN Resident
of Village - Haflaganj, P.S.- Muffasil, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kr. Arya, Advocate

For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 24-05-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 01.07.2021, charge-sheet has been
submitted and is a person with clean antecedent.

The informant alleges that he along with his nephew were
intercepted by five unknown criminals who looted Rs.7,25,000/-
from them and also took away articles detailed in the FIR.

Learned counsel for the petitioner submits that FIR was
against unknown and name of the petitioner came in the confessional
statement of co-accused Sanjay Kumar Paswan. Learned counsel
further submits that despite being in custody petitioner was not put



on T.I. Parade nor any incriminating article was recovered from the possession of the petitioner connecting him with the offence. Learned counsel next submits that during the course of investigation, the police claimed to have identified the petitioner in CCTV footage. Learned counsel also submits that if the petitioner was identified in CCTV footage then nothing prevented the police not to put the petitioner on T.I. Parade for getting him identified by the informant. This amply demonstrates that petitioner has been falsely implicated in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.07.2021, charge-sheet has been submitted, is a person with clean antecedent and was not put on T.I. Parade nor any incriminating article was recovered from the possession of the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Katihar Mufassil P.S. Case No. 103 of 2021.

(Satyavrat Verma, J)

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