

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.1719 of 2022**

Arising Out of PS. Case No.-385 Year-2019 Thana- KRITYANAND NAGAR District-  
Purnia

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Bechan Kumar Paswan @ Bechan Paswan S/O Prakash Paswan @ Prakash  
Kumar Paswan Resident of Garhiya Baluwa, P.S.- K. Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md Fazle Karim, Advocate.  
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      22-06-2022              Learned counsel for the petitioner is permitted to  
remove defect(s), as pointed out by the office, if any, within a  
period of four weeks from today.

Heard Mr. Md Fazle Karim, learned counsel for the  
petitioner and Mr. Sanjay Kumar Tiwary, learned Additional  
Public Prosecutor for the State.

The application for grant of bail to the petitioner,  
above named, who has been made accused and put behind the  
bar in connection with K. Nagar P. S. Case No. 385 of 2019  
registered for the offences punishable under Section 395 of the  
Indian Penal Code.

As per the prosecution case, it is alleged that  
03.10.2019 while the informant was going for a meeting, four



unknown miscreants intercepted the motorcycle of the informant and one of the miscreants snatched the bag, containing Rs. 92,841/- along with other valuables.

Learned counsel appearing on behalf of the petitioner submitted that the F.I.R. has been instituted against four unknown miscreants. However, when the petitioner was arrested in connection with K Nagar P. S. Case No. 26 of 2020, he has been remanded in this case on 24.08.2020. It is also submitted that after his arrest, he has been remanded in ten other cases including the present one and out of eleven cases, he is on bail in eight cases. It is further submitted that though the petitioner has been remanded in this case on 24.08.2020 but till date the petitioner has neither been put on TIP nor any incriminating material has been recovered from his person possession. It is also submitted that the petitioner had no criminal antecedent prior to K Nagar P. S. Case No. 26 of 2020 but thereafter, he has been remanded in all the cases. It is next submitted that so far the present case is concerned, the investigation of the crime has already been concluded and the charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that during the course



of investigation, suspicion has been raised against this petitioner and he has been remanded on his own confession.

Having considered the submissions made on behalf of the parties and taking into account the fact that the petitioner is not named in the F.I.R. and he is in custody since 24.08.2020 and till date he has neither been put on TIP nor any incriminating material has been recovered from person or possession of this petitioner, though the investigation has already been concluded, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Nagar P. S. Case No. 385 of 2019, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of



trial.

- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.
- (v) 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 cancelling 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.

**(Harish Kumar, J)**

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