

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6907 of 2023

Arising Out of PS. Case No.-103 Year-2020 Thana- BEERPUR District- Begusarai

Nirdosh Paswan, Son of Jhunjhun Paswan @ Shiv Prasad Paswan, R/v- Gara,
P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Birpur P.S. Case No. 103 of 2020 registered for the alleged offences under Section 394 of the Indian Penal Code.

3. As per prosecution case, four miscreants robbed the informant who has been working as nozzleman at a fuel center and took away Rs. 20,000/- to 25,000/- along with his mobile phone. The name of the petitioner surfaced during investigation as one of the accused persons.

4. The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the



conscious possession of the petitioner. No Test Identification Parade has been conducted. Merely on the basis of confessional statement of co-accused Dharamveer Kumar, the petitioner has been arraigned as accused in this case. The co-accused Dharmaveer Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 23.07.2021 passed in Cr. Misc. No. 20128 of 2021. Other co-accused persons have also been granted bail by Different Co-ordinate Benches of this Court vide order dated 25.11.2021 passed in Cr. Misc. No. 30830 of 2021 and order dated 14.12.2021 passed in Cr. Misc. No. 39901 of 2021. The petitioner is in custody since 21.05.2022 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioner is having long criminal history and is accused in five such cases. At this stage, learned counsel for the petitioner submits that petitioner has been granted bail in four such cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and also considering the period of custody of the petitioner along with submission of charge-sheet against him, the petitioner



above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Begusarai in connection with Birpur P.S. Case No. 103 of 2020, subject to the condition mentioned in Section 437(3) of the Cr.P.C. and other the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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