

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14811 of 2023

Arising Out of PS. Case No.-577 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Pradeep Kumar @ Pradeep Paswan @ Pradip Kumar Son of Late Mohan
Paswan Resident of Village- Ashok Nagar (Pokharia), Ward No.-36, P.S.-
Nagar, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-05-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Town

P. S. Case No. 577 of 2022, registered for the offences

punishable under Sections 457 and 380 of the Indian Penal

Code.

The prosecution case as emerges from the FIR is

that the informant, Chandradeo Jha was informed by his

renter that someone has committed theft in his house by

breaking the window at Begusarai, as the informant was

residing with his son at Patna. Then he reached at his house

and found Almirah and trunk broken and articles scattered



all around the room and he also found that many articles were missing.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the F.I.R. as the same has been lodged against unknown. He further submits that the petitioner has been made accused in this case only on the basis of suspicion and there is no recovery of any stolen article from his conscious possession. He further submits that no Test Identification Parade has yet been conducted.

He further submits that the petitioner has been languishing in jail since 04.11.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in three other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently



opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Begusarai, in connection with Town P. S. Case No. 577 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court



below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

skm/-

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