

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11376 of 2023**

Arising Out of PS. Case No.-692 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

Puneet Kumar @ Puneet Paswan, Son of Ramswaroop Paswan @ Ramswarup Paswan, Resident of village- Sahbajpur, P.S.- Ahiyapur, District - Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

2 04-05-2023 Heard Mr. Arvind Kumar, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Ahiyapur P.S. Case No. 692 of 2020 registered for the offences punishable under Section 395 of the Indian Penal Code.

While the informant was going on a motorcycle to Bettiah, in the way, six miscreants riding on three motorcycles surrounded his motorcycle and snatched cash, kept in the dickey of motorcycle and fled away.

It is submitted by the learned counsel appearing on behalf of the petitioner that the F.I.R. has been instituted against unknown miscreants, however, during the course of investigation the name of the petitioner sprung up on the confessional statement of Akhilesh Paswan and save and except



the confessional statement of co-accused, there is no material suggesting the complicity of the petitioner, apart from the fact that co-accused Akhilesh Paswan has already been allowed bail by a learned coordinate Bench of this Court in Cr. Misc. No. 30844 of 2021 vide order dated 26.11.2021. Further submission has been made that the petitioner is in custody since 06.11.2022 and till date he has neither been put on Test Identification Parade nor any incriminating material has been recovered from his person or possession.

On the other hand, learned APP for the State opposes the bail application and submits that the name of the petitioner transpired in the confessional statement of co-accused and the petitioner is found involved in one another criminal case.

Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the confessional statement of co-accused there is no material and the co-accused, on whose confession the name of the petitioner transpired, has already been allowed the privilege of bail, coupled with the fact that no incriminating material has been recovered from the person or possession of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate, 1st Class, Muzaffarpur in connection with Ahiyapur P.S. Case No. 692 of 2020, subject to the condition that one of the bailors will be the close relatives 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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