

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14973 of 2023

Arising Out of PS. Case No.-439 Year-2022 Thana- RAJAOLI District- Nawada

CHANDAN PASWAN @ CHANDAN KUMAR Son of Ram Swaroop
Paswan @ Ram Sharup Paswan R/v- Bara, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Singh, Adv.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
29.11.2022 in connection with Rajauli P.S. Case No.439/2022,
F.I.R. dated 23.08.2022, for the offences punishable under
Sections 414 of the IPC.

According to prosecution case, one stolen motorcycle
is said to have been recovered from the possession of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R as well as seizure list that one motorcycle has
been recovered from the possession of the petitioner and other



motorcycles have also been recovered from other co-accused persons, namely, Chhotan Yadav and other have been granted bail by a co-ordinate Bench of this Court vide order dated 29.04.2023 passed in Cr. Misc. No. 2228/2023, another co-accused, namely, Sadhu Yadav has been granted bail vide order dated 06.04.2023 passed in Cr. Misc. No. 3197/2023 and another co-accused, namely, Dewanand Paswan has been granted bail vide order dated 22.03.2023 passed in Cr. Misc. No. 74227/2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 29.11.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Nawada in connection with Rajauli P.S. Case No.439/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that 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 cancellation 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.

(Rajesh Kumar Verma, J)

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