

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23515 of 2023

Arising Out of PS. Case No.-376 Year-2022 Thana- SHERGHATI District- Gaya

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JITENDRA PASWAN @ JITU S/O RAM SWAROOP PASWAN Resident of
Village- Phitakichak, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Sherghati
P.S. Case No. 376 of 2022 dated 18.05.2022 registered for the
offence under Sections 364A and 395 of the Indian Penal Code.

The case relates to commission of loot of truck of the
informant and abduction of truck driver for want of ransom.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner has not been named in the F.I.R., however, his name
transpired in this case on the basis of confessional statement of
the co-accused, Chandan Kumar leading to recovery of the looted
articles as well as the victim who has been kidnapped by the



accused persons for want of ransom. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner nor the prosecution has conducted T.I.P. till date. He further submits that similarly situated co-accused, namely, Md. Imran Alam, has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.01.2023 passed in Cr. Misc. No. 43363 of 2022. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 08.07.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional Chief Judicial Magistrate, Gaya in connection with Sherghati P.S. Case No. 376 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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