

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25550 of 2023

Arising Out of PS. Case No.-33 Year-2021 Thana- SUPAUL District- Supaul

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DEVLAL PASWAN Son of Domi Paswan Resident of village - Chikna, P.S - Ghoghardiha, Distt. - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-04-2023 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Supaul Police Station Case No. 33 of 2021, registered for the offences punishable under Section 395 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act, dated 11.01.2021.

This is the third attempt on behalf of the petitioner for grant of regular bail. On the last occasion, the prayer for regular bail of the petitioner was rejected by this Court, vide order, dated 07.12.2022, passed in Criminal Misc. No. 66947 of 2022, giving liberty to the petitioner to renew his prayer for bail after one year from the date of first rejection of the prayer for bail of the petitioner i.e. 22.03.2022.

The allegation, as per the First Information Report, is



that 5-6 unknown criminals entered into the house of the informant and committed dacoity on gun-point and looted a sum of rupees Rs. 5,00,000/-, in cash, 200 gms of gold ornaments, 5 kgs of silver ornaments etc.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court in the order dated 07.12.2022. He further submits that petitioner has falsely been implicated in this case inasmuch as no looted/incriminating articles has been recovered from his possession. He further submits that the petitioner has got no criminal antecedents of similar nature of offence. He further submits that the petitioner is in custody since 22.02.2021.

After having heard learned Counsel for the parties and taking into consideration the fact that no looted article has been recovered from the possession of the petitioner, the petitioner has remained in custody for more than two years and this is the third attempt on behalf of the petitioner for grant of bail, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of



learned Additional District & Session Judge-I, Supaul, in connection with Supaul Police Station Case No. 33 of 2021.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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