

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 28940 of 2022

Arising Out of PS. Case No.-301 Year-2019 Thana- LALGANJ District- Vaishali

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RANJAN PASWAN SON OF LATE JAYMANGAL PASWAN RESIDENT
OF DAUD NAGAR, JANGLI TOLA, P.S.- VAISHALI, DISTRICT-
VAISHALI AT HAJIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Anish Chandra, Advocate

For the Opposite Party/s : Mr Yogendra Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 03-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, **APP**) appearing for
the State of Bihar.

The petitioner seeks bail in Lalganj Police Station (for
brevity, **PS**) Case No 301 of 2019 registered for the offence
punishable under Section 379 of Indian Penal Code (for brevity,
IPC) but charge sheet has been filed under Sections 379, 411/34
of IPC.

Prosecution case is that the informant was carrying
some paint in his pick up van. He parked the vehicle by the side
to sleep at night. In the morning, the pick up van was traceless.

Petitioner's counsel submits that the First Information
Report is against unknown persons. Petitioner has been dragged



in this case because earlier he has been implicated in two cases. However, he is on bail in both the cases. In the instant case, he is in custody since 07.12.2021. Co-accused Gaurav Kumar, from whose house pick up van has been recovered, has been granted bail by the Court below itself.

Learned APP, with reference to the case diary, submits that paint has been recovered from the house of the petitioner.

Having considered the rival submissions, the fact that co-accused Gaurav Kumar has been granted bail by the Court below itself, period of custody and nature of allegation, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IX, Vaishali at Hajipur in Lalganj PS Case No 301 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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