

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32180 of 2023**

Arising Out of PS. Case No.-232 Year-2022 Thana- LAURIA District- West Champaran

Guddu Paswan S/o Jitendra Paswan @ Jitendar Pasvan R/o Village-Ahwar
Sheikh, Paswan Chowk, P.S.-Majhauilya, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 03-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Lauriya
P.S. Case No. 232 of 2022 registered for the offence under
Section 395 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 01.02.2023.

The allegation against this petitioner is to commit
dacoity alongwith other co-accused persons and while
committing so looted cash of Rs. 13,80,000/- belongs to
informant.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is not named in F.I.R. and his name surfaced during the course of investigation on the basis of confessional statement of co-accused, namely Ajit Paswan, in furtherance thereof no incriminating material recovered /surfaced against this petitioner to connect, *prima facie*, with present occurrence of dacoity. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner found involved in two more criminal cases, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no incriminating material appears to be recovered in furtherance of confessional statement of co-accused, as to connect petitioner with present occurrence of dacoity, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 01.02.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with Lauriya P.S. Case No. 232 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Bettiah, West Champaran/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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