

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31749 of 2023

Arising Out of PS. Case No.-356 Year-2021 Thana- RAJNAGAR District- Madhubani

Pintu Kumar Paswan Son of Phuleshwar Paswan Resident of village-Mahrail,
P.S.-Rudrapur, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-06-2023 Heard Mr. Subhash Kumar Jha, learned counsel for
the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Rajnagar P.S. Case No. 356 of 2021 giving rise to Sessions Trial No.327 of 2022, registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegedly, while the informant was returning to his house, in the meantime, four unknown miscreants intercepted him and snatched cash of Rs.800/- and other valuables and fled way.

Learned counsel appearing on behalf of the petitioner submits that FIR is instituted against unknown persons, however, during the course of investigation name of the petitioner has surfaced in this case on the basis of confessional



statement of co-accused Surendra Sah and save and except the confessional statement there is no material against the petitioner. He further submits that the petitioner was neither put on test identification parade nor any incriminating material has been recovered from his conscious possession. He next submits that the person on whose confession name of the petitioner has transpired, has already been allowed bail by in Cr. Misc. No. 70230 of 2022 vide order dated 15.03.2023. He lastly submits that other co-accused persons whose name also transpired during the course of investigation, they have also been allowed bail by other Coordinate Benches of this Court. The petitioner is in custody since 19.01.2022.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the petitioner is carrying two criminal antecedent as has been stated in Paragraph 3 of the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the persons on whose confession name of the petitioner has surfaced has been allowed bail, coupled with the period of custody and the fact that though he is in custody since 19.01.2022, he has not been put on test identification parade till date and the case has already been



committed to court of sessions, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Madhubani in connection with Rajnagar P.S. Case No. 356 of 2021 giving rise to Sessions Trial No.327 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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