

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32708 of 2023

Arising Out of PS. Case No.-20 Year-2011 Thana- BARACHATTI District- Gaya

Satyendra Paswan S/O Late Bhuneshwar Paswan R/O Village- Koudiya, P.S-
Gurua, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2023 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
Barachatti P.S. Case No. 20 of 2011 registered for the offence
under Section 396 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 02.11.2022.

The allegation against the petitioner is to commit
murder, while committing dacoity alongwith other co-accused
persons.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is not named in the F.I.R. and his name



surfaced, during the course of investigation, on the basis of confessional statement of apprehended co-accused persons, where in furtherance of no incriminating material recovered/surfaced so as to connect him with present occurrence. It is also submitted that similarly situated co-accused person, namely, Bali Bhuiyan has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 40862 of 2016 vide order dated 28.11.2016. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has been 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 save and except confessional statement no incriminating material appears against this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 02.11.2022, accordingly, above named petitioner is directed to be released on bail in connection with Barchatti P.S. Case No. 20 of 2011 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of



the like amount each to the satisfaction of learned Additional
Chief Judicial Maigstrate-II, Sherghati, Gaya/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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