

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52200 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- PANDARAK District- Patna

Ashik Paswan @ Aashik Paswan Son of Vakeel Paswan Resident of village -
Rasulla, Goasa, P.s. - Pandarak, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
31.01.2023 in connection with Pandarak P.S. Case No. 14 of
2023, F.I.R. dated 21.01.2023 for the offences punishable under
Section 392 of the Indian Penal Code.

3. According to prosecution case, one looted motor-
vehicle and mobile phone has been recovered from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case only on the basis of confessional
statement made by the co-accused person namely Mithun
Kumar. He further submits that nothing has been recovered from



the conscious possession of the house of the petitioner and till date, no T.I.P. has been conducted by the prosecution. He further submits that co-accused person namely Ravi Kumar has been granted bail by the co-ordinate Bench of this court vide order date 07.07.2023 in Cr. Misc. No. 35346 of 2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 31.01.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh (District – Patna), in connection with Pandarak P.S. Case No. 14 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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