

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52631 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- CHANDRAMANDI District- Jamui

Chhotu Paswan Son Of Dona Paswan R/O-Chandramandih, P.S.-
Chandramandih, Distt.-Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 26.05.2023, in connection with Chandramandih P.S. Case No. 90 of 2023, F.I.R. dated 24.05.2023 registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

3. According to the prosecution case, in brief, is that the informant woke up in the night at about 2:00 A.M. and saw that the door of his house was open and clothes, jewellery etc. have been taken away by the miscreants.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the petitioner is not



named in the F.I.R. and the name of the petitioner has been transpired during investigation and thereafter the house of the petitioner was raided and some article has been recovered from the house of the petitioner. He further submits that as per allegation that the two looted sarees have been recovered from the house of the petitioner but the same has not been put on test identification parade as yet. He further submits that earlier the petitioner has been implicated only one case but after being arrest in the present case he has been remanded in nine cases which was mentioned in paragraph-3 of the bail petitioner and the petitioner is in custody since 26.05.2023.

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

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jamui in connection with Chandramandih P.S. Case No. 90 of 2023, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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