

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52261 of 2022

Arising Out of PS. Case No.-555 Year-2021 Thana- WAJIRGANJ District- Gaya

SAHWEER PASWAN S/o Ghamandi Paswan R/o village- Patringa, P.S.-
Sigori, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-03-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 395,397 of IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. The petitioner is not named in the FIR and the name of the
petitioner has been transpired during investigation. Further
submits that nothing incriminating article has been recovered
from possession of the petitioner and the police, after
investigation, submitted chargesheet against the petitioner and
the petitioner is in custody since 10.01.2022.

Learned A.P.P. for the State, on the other hand, has



vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has been identified in the TIP and petitioner is an accused in another case.

Vide order dated 08.02.2023, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 02.03.2023 reveals that the charge has been framed against the petitioner under Sections 395 and 397 of IPC and till date no prosecution witness has been examined.

Learned counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since more than one year.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Wazirganj P.S. Case No. 555 of 2021 with 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/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(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 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)

Nitesh/-

U		T	
---	--	---	--

