

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57382 of 2023

Arising Out of PS. Case No.-102 Year-2019 Thana- MAHUA District- Vaishali

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SUNIL KUMAR PASWAN @ SUNIL KUMAR S/O TALAM PASWAN R/O
VILLAGE- CHEHRAKALA, P.S- GORAUL, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Bhardwaj, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Mahua P.S. Case No. 102 of 2019 registered under Sections 395 IPC and Section 412 of the Indian Penal Code lodged on 21.02.2019 by the informant, Dr. Jagdish Singh.

3. The allegation against the petitioner amongst other is of barging into the home of the informant and loot the ornaments worth Rs.22,00,000/-, cash of Rs.7,00,000/- as also bank passbooks, the documents relating to land, cheque etc. as also four valuable mobiles sets.

4. Earlier the bail application of the petitioner was heard and rejected on 25.08.2022. As the matter is being of 2019, he chose to evade arrest for a long time before coming



into the judicial custody on 23.03.2022. Thereafter, once again without waiting for the cooling of period, he preferred another bail application vide Cr. Misc. No. 3003 of 2023 which was accordingly rejected on 18.01.2023.

5. Earlier, a report was called for from the trial court which has since been received vide letter No. 330 dated 25.09.2023 and as per it, the case has now been committed to the court of learned Sessions Judge, Vaishali at Hazipur on 23.09.2023.

6. Taking into account the fact that the trial is not likely to be concluded in near future, he has remained in custody since 23.03.2022 and similarly situated persons namely Randhir Kumar and Md. Ashif Raja have been granted bail, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Hajipur, Vaishali in connection with Mahua P.S. Case No. 102 of 2019 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/Sudha-

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