

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58064 of 2023

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

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ARVIND KUMAR @ ARVIND PASWAN S/O DEOLAL PASWAN R/O
VILLAGE- CHAKSAKRA, CHANDRALAY, P.S- HAJIPUR SADAR,
DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2023

Heard the parties.

The petitioner is an accused in connection with Hajipur Town P.S. Case No. 1052 of 2019 registered for the offences under section 395 of the Indian Penal Code later on sections 397, 412 and 120-B of the Indian Penal Code is added lodged on 23.11.2019 by the informant, Subodh Kumar Singh.

As per the prosecution story, the allegation is that the accused persons barged into the office of Muthoot Finance of Hajipur (Vaishali) and after locking the employees in a room, took away Rs. 55.777 kg gold and cash of Rs. 50,000/-. Accordingly, the FIR was lodged in this case.

It is the case of the petitioner that he has been implicated only on the confessional statement of co-accused,



Chanchal Kumar and in the CCTV footage in which seven accused persons were identified, he is one of them. Further, submission is that some of the accused persons have been granted bail in Cr. Misc. No. 33308 of 2021 on 07.10.2021 (Chanchal Kumar vs. State) (Annexure 2), no T.I.Parade conducted.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the submissions put forward by the learned Counsel for the petitioner, his name has come in the confessional statement, no T.I.Parade conducted, he is in custody since 16.02.2023 (as stated in paragraph 8 of the bail application), this Court is inclined to extend him privilege of bail but only after framing of the charges.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-V, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 1052 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



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 bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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