

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56217 of 2022

Arising Out of PS. Case No.-7 Year-2020 Thana- MUFFASIL District- Aurangabad

Upendra Paswan, Male, aged about 48 years, Son of Late Jatan Paswan R/o
Kurtiya Taand, Kaj Tola, P.S- Gurua, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Aurangabad (Muffasil) P.S. Case No. 7/20 registered for the offence punishable under Sections 147, 149, 341, 342, 382, 506 of the Indian Penal Code (for brevity 'IPC') and subsequently section 395 of the IPC was added against 10-12 unknown persons.

As per prosecution case, ten-twelve (10-12) unknown criminals have entered inside the gate. The informant and other staff have been confined, tied with rope and some cash and other articles have been looted.

Learned counsel for the petitioner submits that on account of his criminal antecedents, the petitioner has been implicated in this case. Other than the confessional statement, there is no cogent material. There is no recovery from the petitioner to connect him with the allegations. He is in custody since 12.07.2022. Petitioner's name has been stated in the confessional statement by Upendra Chaudhary and Ramadhar Chaudhary, both of whom have been allowed bail by the learned court below.



Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of petitioner's implication and the claim based on parity, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 C.J.M. Aurangabad, in connection with Aurangabad (Muffasil) P.S. Case No. 7/2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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