

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56793 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- MAJORGANJ District- Sitamarhi

Sunder Paswan Son of Late Vilash Paswan R/V- Nawalpur Punarvas D Tola,
P.S- Nawalpur (Lalbandi), Dist- Sarlahi, (Nepali).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Adv.
For the Opposite Party/s : Mr. Meena Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Majorganj P.S. Case No. 49 of 2022, lodged under Sections 395
of the Indian Penal Code read with Section 3/4 of Explosive
Substance Act.

As per prosecution case, the F.I.R. has been lodged
against 15-20 unknown criminals alleging therein that they all
attacked at the house of informant and locked the family
members in another room and looted the gold jewellery and
Rs.5 lacs cash. They also threatened to kill and after
bombarding on the gate they all fled away.



Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that name of petitioner has figured in this case by virtue of confessional statement of the petitioner himself. He also submits that the petitioner has been remanded in the present case when he was in custody. Learned counsel submits that there are 3 criminal cases pending against the petitioner, in which, he is on bail 2 cases and in 1 case he is persuading for bail. He raised one more point that prior to Kanhauli P.S. Case No. 53 of 2022 his antecedent was clean and once his name has come in this case, Police started putting his name in different cases. Learned counsel for the petitioner further submits that petitioner is in custody since 04.06.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Sitamarhi in connection with Majorganj P.S. Case No. 49 of 2022, subject to the conditions as laid down under Section



437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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