

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58439 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

Parmeshwar Kumar Son of Ram Babu Paswan R/V- Sikariya, P.S- Pali, Dist-
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 392 of the Indian Penal
Code.

According to prosecution case, two person hired the
tempo of the informant and later on, one person pointed pistol
and another person used to bind the hand and leg of the
informant and snatched the mobile and vehicle from the
informant.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. He
further submits that the petitioner is not named in the F.I.R. and
the name of the petitioner has been transpired during



investigation on the basis of the confessional statement of the co-accused person, namely, Rahul Kumar. He further submits that no incriminating article has been recovered from the possession of the petitioner. He further submits that except the confessional statement of the co-accused person, no other cogent material has come against the petitioner during investigation. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 15.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Makhdumpur P.S. Case No. 12 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

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