

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66365 of 2022**

Arising Out of PS. Case No.-664 Year-2021 Thana- SUPAUL District- Supaul

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AMIT PASWAN S/O Rajendra Paswan R/O Village- Samda, P.S- Saur Bazar,
District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 18-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Supaul
(Laukaha O.P.) P.S. Case No. 664 of 2021 registered for the
offence under Sections 392 of the Indian Penal Code.

Three miscreants on the point of pistol snatched
away the Maxi Truck of the informant.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the
petitioner has not been named in the F.I.R., however, his
name transpired in this case on the basis of confessional
statement of the co-accused, Satish Kumar @ Satish Yadav.



He further submits that no incriminating article has been recovered from the conscious possession of the petitioner and till date no T.I.P. has been conducted by the prosecution. Moreover, the similarly situated co-accused, namely, Prabhushankar @ Prabhushankar Pal @ Pappu Kumar, has already been granted bail by a co-ordinate Bench of this Court vide order dated 03.11.2022 passed in Cr. Misc. No. 38270 of 2022. The petitioner is rotting in judicial custody since 23.02.2022.

Learned A.P.P. for the State on the other hand vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries twelve cases other than the present one but he fairly submits on the basis of paragraph-3 of the petition, he is on bail in all cases.

Considering the facts and circumstances of the case and period of custody, let the, above named, petitioner be released on bail, after framing of charge, if not framed, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul connection with Supaul (Laukaha O.P.) P.S. Case No. 664 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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