

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61096 of 2022

Arising Out of PS. Case No.-38 Year-2021 Thana- WAJIRGANJ District- Gaya

Binod Paswan Son Of Ranjan Paswan @ Rajan Paswan, R/V- Kashiyadih,
P.S.- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2023 Let the defect, 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
Wazirganj P.S. Case No. 38 of 2021 lodged under Section 395 of
the I.P.C.

As per prosecution, there were seven unnamed
persons made accused in this case and allegation of *dacoity* is
there.

Learned counsel for the petitioner submits that
petitioner is in custody since 06.08.2022 and F.I.R. has been
filed against unknown. He further submits that there is one
criminal case pending against the petitioner in which he is on



bail. Counsel further submits that five accused persons whose name have come during investigation in this case have been granted bail by the Co-ordinate Bench of this Court vide order dated 06.01.2023 and 20.01.2023 passed in Cr. Misc. Nos. 1553 of 2022 and 38269 of 2022 respectively.

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 A.C.J.M.Ist., Gaya in connection with Wazirganj P.S. Case No. 38 of 2021, 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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