

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67202 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- SAHARGHAT District- Madhubani

Sanjay Paswan son of Late Awadesh Paswan @ Abdhesh Paswan Village-
Utra Ps- Saharghat Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kusum Rani, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
G.R. No. 237 of 2023 arising out of Saharghat P.S. Case No. 70
of 2023 dated 15.05.2023, lodged under Section 392 of the
I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four unknown accused persons, who have
committed the loot, snatched motorcycle and cash of
Rs.37,500/- as well as mobile from the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the name of the petitioner has figured in this case
by virtue of the confessional statement made by the co-accused.

Counsel submits that nothing incriminating has been recovered from the possession of the petitioner nor he was put on T.I.P. Counsel submits that the offence has been lodged under Section 392 of the I.P.C. Counsel submits that the antecedent of the petitioner is clean and he is in custody since 15.05.2023. Counsel also submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

5. Learned counsel for the State opposes the prayer for bail.

6. 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 Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- Ist Class, Benipatti in connection with G.R. No. 237 of 2023 arising out of Saharghat P.S. Case No. 70 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date

before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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