

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65079 of 2022

Arising Out of PS. Case No.-961 Year-2020 Thana- FORBESGANJ District- Araria

Ashish Paswan @ Ashish Kumar, Son of Pramod Paswan, Resident of
Village- Dholbajja, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Forbesganj Police Station Case No. 961/2020 registered for the
offence under Sections 392, 397 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 07.09.2022.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away cash of Rs. 12,000/-, one mobile and
motorcycle belongs to informant.

Learned counsel appearing on behalf of the petitioner



submitted that name of petitioner surfaced during the course of investigation on the basis of suspicion, which developed while supervising the case by higher police officials, without having any connecting evidence in hand. It is submitted that no incriminating material recovered from the possession of this petitioner during the course of investigation, which may connect the petitioner, *prima facie*, with the present set of occurrence. It is also submitted that petitioner not put on TIP, as yet. While concluding the argument, it is submitted that petitioner found involved in five more criminal cases, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail fairly conceded that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above and by taking note of the fact as no incriminating material recovered to connect the petitioner, *prima facie*, with the present occurrence of robbery, coupled with fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Forbesganj Police Station Case No. 961/2020 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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