

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65797 of 2022

Arising Out of PS. Case No.-91 Year-2019 Thana- HASPURA District- Aurangabad

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Sacchu Paswan @ Saryug Paswan S/O Late Kesho Paswan R/O Village- Bhi-
malichak, Hathiyara, P.S.- Deokund, Distt- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Lal Bahadur Singh, Advocate
For the Opposite Party/s	:	Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2023 Heard learned counsel appearing on behalf of the pe-
titioner 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 Haspura
P.S. Case No. 91 of 2019 (G.R. No. 602/2019) registered for the
offence under Sections 395 & 397 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 07.07.2022.

The allegation against the petitioner is to commit da-
coity alongwith other co-accused persons in the house of infor-
mant and while committing so fired upon informant and also
taken away cash of Rs. 50,000/- alongwith jeweleries made up
of gold.



Learned counsel appearing on behalf of the petitioner submitted that name of petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused persons, in furtherance of which, no incriminating material recovered/surfaced which may connect petitioner with present occurrence of dacoity. It is also pointed out that no TIP was conducted as yet. It is also submitted that similarly situated co-accused person, namely, Kalu Paswan @ Kallu Paswan has already been granted bail by one of the learned co-ordinate Bench of this Court vide order dated 29.01.2020 passed in Cr. Misc. No. 70696/2019. While concluding the argument, it is submitted that petitioner found involved in one case which is related to excise and moreover, investigation of this case has already been 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 as no incriminating material recovered/surfaced during the course of investigation to connect this petitioner, *prima facie*, with the present occurrence of dacoity, coupled with the fact that charge-sheet has already been submitted, let the petitioner,



above named, is directed to be released on bail in connection with Haspura P.S. Case No. 91 of 2019 (G.R. No. 602/2019) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Daudnagar, Aurangabad (Bihar)/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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