

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7798 of 2023

Arising Out of PS. Case No.-973 Year-2020 Thana- KHAGARIA District- Khagaria

SANTA KUMAR PASWAN @ SANT KUMAR PASWAN @ SANTBALI
KUMAR S/O- Mantun Paswan R/V- Purvi Hardaschak, Sansarpur Ward No.
03, P.S.- Khagaria (Muffasil), District- Khagaria (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 28-04-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with
Supplementary Khagaria (Mufassil) P.S. Case No. 973 of 2020,
dated 28.12.2020 registered for the offence punishable under
Section 394 of the Indian Penal Code.

3. The main submissions advanced by petitioner's counsel
are that during investigation two co-accused persons namely,
Uttam Kumar @ Uttam Mandal and Sudhakar Kumar were
arrested, who disclosed the name of this petitioner and petitioner is
not named in the FIR and after his arrest, police failed to recover
any part of the looted money from his possession and he was not
put on test identification parade and some of the co-accused
persons have been granted bail by the trial court itself and there is



no legal evidence against the petitioner to connect him to the alleged crime of *loot* and he has been languishing in jail since 01.08.2022 and prayer for bail of this petitioner was rejected by the trial court mainly considering his criminal antecedents of two cases in which he is on bail.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly petitioner's pleas that after his arrest the police failed to recover any part of the looted money from his possession and he was not put on test identification parade and he has been made accused mainly on the basis of statement of co-accused, Uttam Kumar @ Uttam Mandal, recorded before the police and the said pleas have not been refuted by learned APP, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Supplementary Khagaria (Mufassil) P.S. Case No. 973 of 2020.

(Shailendra Singh, J.)

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