

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6969 of 2024

Arising Out of PS. Case No.-574 Year-2020 Thana- WAJIRGANJ District- Gaya

Manish Paswan @ Manish Kumar S/O- Late Kamalesh Paswan R/O- Village-
Naudiha, P.S.- Wazirganj, Distt.- Gaya. Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Wazirganj P.S. Case No.574 of 2020, lodged on 15.12.2020,
under Section 395 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged
against total 10-15 persons against whom there is allegation of
dacoity at the house of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that name of the petitioner has figured in this case by virtue of
confessional statement of co-accused. Nothing incriminating
has been recovered from the possession of the petitioner nor the



petitioner was put on Test Identification Parade. Counsel submits that co-accused persons have been granted bail by a co-ordinate Bench of this Court vide orders dated 20.05.2022 and 31.08.2022 passed in Cr. Misc. Nos.3662 and 13892 of 2022 respectively. Counsel submits that antecedent of the petitioner is not clean. There are seven criminal cases pending against him and he is in custody since 26.06.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that allegation of dacoity is there against the petitioner and petitioner has been made accused in seven cases in which almost all the cases are relating to dacoity.

6. Considering the fact that there is no material against the petitioner in the present case, let the petitioner, above named, be granted bail **but only on being satisfied by the trial Court that the petitioner is not absconding in the pending cases i.e., (i) Wazirganj P.S. Case No.566/2020, (ii) Chandauti P.S. Case No.27/2021, (iii) Wazirganj P.S. Case No.33/2021, (iv) Wazirganj P.S. Case No.38/2021, (v) Wazirganj P.S. Case No.283/2022, (vi) Chandauti P.S. Case No.41/2021, (vii) Buniyadganj P.S. Case No.26/2021, on** furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of



learned ACJM 1st , Gaya, in connection with Wazirganj P.S. Case No.574 of 2020, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure 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.

(Dr. Anshuman, J)

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