

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11484 of 2024**

Arising Out of PS. Case No.-195 Year-2017 Thana- PAROO District-
Muzaffarpur

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Dharmendra Paswan S/O Jawahar Paswan VILLAGE- SIRKOHYA, PS.
SARAIYA, DIST. MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Paroo
P.S. Case No. 195 of 2017 registered for the offence under
Sections 392 of the Indian Penal Code.

3. According to the prosecution, three persons are
alleged to have assaulted the informant with the pistol on his
head and snatched his helmet, golden locket along with his
mobile.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the petitioner has
not been named in the F.I.R., however, his name surfaced in this
case on the basis of confessional statement of the co-accused,



Pappu Kumar, who has already been granted bail by a co-ordinate Bench of this Court vide order dated 11.10.2018 passed in Cr. Misc. No. 62757 of 2018. Save and except the confessional statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He next submitted that the petitioner has not been put on T.I.P. as yet. Moreover, one more co-accused, Ashok Rai having more or less similar allegation has already been granted bail by a co-ordinate Bench of this Court vide order dated 19.02.2019 passed in Cr. Misc. No. 9830 of 2019. The petitioner is rotting in judicial custody since 31.07.2023.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one as is evident from paragraph-3 of the application.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is allowed.

7. Let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, West Muzaffarpur, in connection with Paroo P.S. Case No. 195 of 2017 with the following



conditions;

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned. (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond. (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

brajesh/- **(Ramesh Chand Malviya, J)**

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