

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19941 of 2024

Arising Out of PS. Case No.-1019 Year-2019 Thana- MADHEPURA District- Madhepura

PARAS SAH S/o Late Vishwanath Sah Resident of Village-Mawesi Hospital,
Ward No. 13, P.S. and District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Jubair Ansari, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable under Sections 395, 397, 323, 325, 307 of the IPC and Section 27 of the Arms Act.

3. Allegedly, huge quantity of ornaments kept in the shop of one Abhishek Kumar have been looted by six unknown criminals. It is further alleged that they assaulted the owner of the shop and customers present there. They also shot bullet over the shop owner causing injury to him.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior



motive. Nothing has been recovered from conscious possession of the petitioner or from his house. The allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner is not named in the FIR. He has been made accused in the present case merely on the basis of the confessional statement of co-accused Amardeep Kumar, who has been granted regular bail vide order dated 02.06.2020 passed in Cr. Misc. No. 8239 of 2020. It is further submitted that petitioner has no criminal antecedent, as mentioned in para 3 of the bail application. He is in custody since 15.02.2023 and charge has already been framed against him.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the period of custody as well as the fact that charge has already been framed against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Madhepura P.S. Case no. 1019 of 2019, subject to the further conditions that

(1) One of the bailors will be own close relatives of the petitioner who will give an affidavit genealogy as to how he is



relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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