

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27986 of 2024

Arising Out of PS. Case No.-63 Year-2022 Thana- GOVINDPUR District- Nawada

Rajesh Paswan @ Sudhir Paswan @ Raushan Lala S/o Late Sukhdev Paswan
R/O VILLAGE YADAVPUR, P.S. BELA, DISTRICT GAYA

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Govindpur P.S. Case No. 63 of 2022 registered for the offences punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, four unknown accused persons intercepted the informant alongwith others and at the point of pistol, they snatched gold chain and motorcycle of the informant, silver chain from the informant's brother, mobiles, cash of Rs. 45,000/- alongwith other items and fled away.

4. Learned counsel for the petitioner submits that petitioner is not named in F.I.R. During the course of investigation, the name of the petitioner has been transpired in this case upon the confessional statement of co-accused Bikantu Manjhi. Except



confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. No incriminating article has been recorded from the possession of the petitioner. Petitioner is quite innocent and has committed no offence as alleged against him in FIR. Petitioner is in custody since 04.01.2024 and he bears criminal antecedent of four cases in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel orally submits that no TIP has been conducted up till now. He further submits that on similar and identical allegation, co-accused Sharawan Kumar @ Sharwan Kumar alongwith Vikrant Manjhi @ Vikrantu Manjhi and co-accused Manni Sao have already been granted bail by this Court vide Cr. Misc. No. 45158 of 2022 and 43323 of 2022 respectively and on the principle of parity, the present petitioner also deserves bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner keeping in view the criminal antecedent of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, co-accused have already been granted bail, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument



advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., Ist Class, Nawada in connection with Govindpur P.S. Case No. 63 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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