

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48427 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- CHACKMEHSI District- Samastipur

Pandab Paswan @ Pandat Paswan @ Pandap Paswan son of Maksudan
Paswan Village- Sakhaura W.No-12, Ps- Piyar Hattha OP Dist- Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-07-2024 The defect as pointed out by the office is ignored.

2. The following order was passed on 13.12.2023:

*“Heard learned counsel appearing on behalf of
the petitioner and learned APP appearing on behalf of the
State.*

*2. Let the defect(s), if any, be removed within a
period of four weeks from today.*

*3. The petitioner seeks bail in connection with
Chakmehsi P.S. Case No. 109 of 2023 registered for the
offence under Sections 394, 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.*

*4. As per the prosecution case, a person
carrying money was stopped, money was looted by the
unknown criminals and he was shot by the criminals and it
has come during investigation that the petitioner has
participated in the crime.*

*5. Learned counsel for the petitioner submits
that except for the confessional statement of the co-accused
there is no material against the petitioner. He further
submits that the petitioner has not been put on T.I. Parade
and the recovery of Rs. 3000 cannot be linked with the*



alleged loot.

6. Learned APP for the State has opposed the prayer of the bail of the petitioner by contending that petitioner is one of the gang members involved in such kind of loot and whenever they are short of money they commit similar crime.

7. In view of the fact that one person has been killed by the criminals while committing loot, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer of bail of the petitioner is rejected herewith.

9. The District Judge, Samastipur and the Superintendent of Police, Samastipur are directed to see to it that the trial of the accused persons is not delayed.

10. If there is no sufficient progress in the trial then the petitioner may renew his prayer for bail.

11. Let a copy of this order be communicated to the District Judge, Samastipur and the Superintendent of Police, Samastipur through FAX and e-Mail for its compliance forthwith.”

3. A person was killed while the loot was being committed and the name of the petitioner has come in the self-inculpatory statement of the co-accused. A part of the looted amount has been recovered from the petitioner.

4. In view of the above, this application is again dismissed.

(Sandeep Kumar, J)

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