

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42447 of 2024

Arising Out of PS. Case No.-477 Year-2020 Thana- FORBESGANJ District- Araria

Ashish Kumar Paswan, S/o Pramod Paswan, R/o Village- Dholbazza
(Navtoliya), ward no 12, P.S.- Forbesganj, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with Forbesganj P.S. Case No. 477 of 2020 dated 18.06.2020 registered for the offence punishable under Section 394 of the Indian Penal Code.

3. Mr. Dheeraj Kumar, learned counsel for the petitioner submits that the FIR was registered against unknown persons and the name of this petitioner surfaced in the statement of two co-accused persons, namely, Md. Sukhtar and Sanjay Kumar during investigation and except the said statements there is no any material against this petitioner to connect him to the alleged crime of loot. Learned counsel further submits that the investigation has been completed against the petitioner and one



co-accused Sangam Kumar carrying similar nature of allegation has been granted bail by this bench vide order passed in Cr. Misc. No. 46479/2023 and the petitioner was not put on Test Identification Parade and no incriminating article was recovered from him after he was taken into custody in the present matter, though against him there are criminal antecedents of four cases but he is on bail in all the said cases.

4. Though Mr. Nawal Kishore Prasad, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepted that except the confessional statement of co-accused persons and tower location of the mobile phones of the petitioner and co-accused near the place of occurrence at the relevant time, there is no any material against the petitioner as reflects from the order impugned.

5. Having regard to the above submissions and mainly considering the completion of investigation against the petitioner and also his plea as to no substantial evidence against him except the confessional statement of co-accused persons and the said plea has not been refuted by learned APP and the petitioner is said to be 22 years old person and one co-accused Sangam Kumar carrying almost similar nature of allegation is on bail, in my opinion, in the said circumstances, the petitioner



deserves to the privilege of bail. Accordingly, let the petitioner named-above 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 the concerned Court in connection with Forbesganj P.S. Case No. 477 of 2020.

(Shailendra Singh, J)

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