

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46562 of 2024

Arising Out of PS. Case No.-170 Year-2022 Thana- MAHNAR District- Vaishali

Vikash Paswan @ Vikash Kumar son of Munna Paswan Village- Khoksa
Kalyan Ps- Desari Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mahnar P.S. Case No. 170 of 2022 dated 22.06.2022, lodged
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against four unknown accused persons against whom there is an
allegation that they have committed robbery of Rs.3,04,170/-
(Rupees Three Lakh Four Thousand One Hundred Seventy)
from the bank.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner is not named in the FIR and his name
has been figured in this case only by virtue of the confessional
statement of the accused. Counsel further submits that nothing



incriminating has been recovered from the petitioner's possession nor he was put on TIP. Counsel submits that the criminal antecedent of the petitioner is not clean and there are three criminal cases pending against him in which in all the cases, he is on bail. The petitioner is in custody since 17.02.2024 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in the present case, nothing incriminating has been recovered from the petitioner's possession.

6. In the present facts and circumstances of this case, let the petitioner above named be granted bail, but only after framing of charge, if not framed as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge 2nd, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 170 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. Pending cases of the petitioner are as follows:-

(I)- Desari P.S. Case No. 203 of 2020.

(II)- Desari P.S. Case No. 160 of 2020.

(III)- Sadar P.S. Case No. 463 of 2022.

(Dr. Anshuman, J)

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