

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50201 of 2024

Arising Out of PS. Case No.-77 Year-2022 Thana- DELHA District- Gaya

Kanhaiya Paswan Son of Late Lav Kush Paswan R/O Vill.- Badki Delha, P.S.-
Delha, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Delha P.S. Case No. 77 of 2022 dated 15.03.2022, 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 from the informant
by snatching his mobile phone and other articles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the name of the petitioner has been figured in
this case only at the instance of the police due to the reason that
his criminal antecedent is not clean and there are 13 criminal



cases pending against him in which in all the cases, he is on bail. The petitioner is in custody since 17.05.2022 in the present case. Counsel further submits that the offence in which the case has been filed is of magisterial triable.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean as there are 13 criminal cases pending against him and this aspect may be taken into consideration while considering the bail application of the petitioner.

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, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya in connection with Delha P.S. Case No. 77 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 against the petitioner are as follows:-

- Delha P.S. Case No.104 of 2022
- Delha P.S. Case No.78 of 2022
- Delha P.S. Case No.86 of 2022
- Delha P.S. Case No.97 of 2022
- Delha P.S. Case No.120 of 2012
- Delha P.S. Case No.90 of 2013
- Delha P.S. Case No.81 of 2014



- Delha P.S. Case No.131 of 2014
- Delha P.S. Case No.244 of 2015
- Delha P.S. Case No.172 of 2016
- Delha P.S. Case No.184 of 2017
- Delha P.S. Case No.268 of 2017
- Delha P.S. Case No.269 of 2017

(Dr. Anshuman, J)

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