

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60713 of 2024

Arising Out of PS. Case No.-142 Year-2022 Thana- MEHANDIA District- Jehanabad

Burha Paswan @ Gupteshwar Paswan Son of Dilkeshwar Paswan Resident of
Village- Bharub, P.S.- Obra, District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mehandia P.S. Case No. 142 of 2022 instituted for the offence
under Section 395 of the Indian Penal Code.

3. Prosecution case in brief is that while the
informant-driver of a Hyva Truck along with co-driver was on
their way to Patna, they were intercepted by five unknown
miscreants who resorted to throwing nails for stopping the
vehicle, whereafter they have snatched Rs. 30,000/- and a
mobile phone from possession of the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 19-03-2024. Petitioner



bears six criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner transpired in this case on the basis of confessional statement of co-accused, namely, Suresh Rajbanshi. Nothing has been recovered from the possession of the petitioner. Petitioner was not put on T.I. parade. It is lastly submitted that charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mehandia P.S. Case No. 142 of 2022, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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