

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59882 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- Champanagar District- Purnia

Nirmal Paswan S/O Umesh Paswan R/O Village- Parashmani, P.S- Sarsi,
Distt- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Champa Nagar P.S.
Case No. 30 of 2024, instituted for the offences punishable
under Sections 379 and 411 of the Indian Penal Code.

3. The prosecution case, in short, is that, motorcycle
of the informant was stolen from the market.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner
further submits that the petitioner is neither named in the FIR
nor arrested on the spot. The petitioner was apprehended by the
police during course of investigation on the basis of CCTV



footage of garment shop. The stolen motorcycle has been recovered from the house of the petitioner. The petitioner is in custody since 11.05.2024 and has got four criminal antecedents.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Champa Nagar P.S. Case No. 30 of 2024, 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)

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