

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57692 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- CHANDRAMANDI District- Jamui

Suresh Paswan S/O Pidak Paswan Resident of Village and police station-
Chandramandih, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-08-2024 Heard Mr. Akhauri Kamal Kishore Sahay, learned
counsel for the petitioner and Mr. Bharat Bhushan, learned APP
for the State.

2. Petitioner seeks bail, who is in custody since
21.06.2024, in connection with Chandramandih P.S. Case No.
90 of 2023, F.I.R. dated 24.05.2023 registered for the offences
punishable under Sections 457, 380 of the Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
petitioner is not named in the F.I.R. and the name of the
petitioner has been transpired during investigation on the basis



of CCTV footage and nothing has been recovered from the conscious possession of the petitioner and till date no test identification parade was conducted by the prosecution. He further submits that co-accused person namely Chhotu Paswan has been granted bail by this Court vide order dated 22.08.2023 passed in Cr. Misc. No. 52631 of 2023. The petitioner is in custody since 21.06.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Jamui in connection with Chandramandih P.S. Case No. 90 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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