

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73926 of 2024

Arising Out of PS. Case No.-163 Year-2021 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Munchun Paswan S/o Gajendra Paswan R/o village - Bhatahan , P. S -
Shyampur Bhatahan , District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar, Advocate
For the State	:	Ms. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seek bail in connection with Sessions
Trial No. 13 of 2024 arising out of Bhathan P.S. Case No. 163 of
2021 dated 26.10.2021, registered for the offences punishable
under Section 392 read with Section 34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The prosecution case as emerging from the FIR is
that on 26.10.2021 at about 12:30 P.M., at Ram Jankit Petrol
Pump some unknown accused persons had committed robbery
and looted cash of Rs. 31000/- and some other articles and
during investigation, the name of the petitioner has come on the
basis of confessional statement of co-accused, namely, Anil



Kumar Singh.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits the FIR is lodged against unknown persons and name of the petitioner has come in this case on the basis of confessional statement of co-accused. He further submits that nothing has been recovered from the possession of the petitioner and he is in custody since 04.08.2023. He further submits that similarly situated co-accused persons have already been granted bail by this Court vide order dated 05.12.2022 passed in Cr. Misc. No. 3822 of 2022 and Cr. Misc. No. 63736 of 2022.

5. It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

6. It has further been stated in paragraph no. 3 of the petition that the petitioner has 12 criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bond in the sum of Rs.10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Sessions Judge, Sheohar in connection with Sessions Trial No. 13 of 2024 arising out of Shyampur Bhathan P.S. Case No. 163 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



the learned court below shall cancel the bail bond of the petitioner.

9. The application stands allowed accordingly.

(Jitendra Kumar, J.)

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