

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77773 of 2024**

Arising Out of PS. Case No.-257 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Rohit Kumar @ Rohit Paswan @ Rohit Kumar Paswan son of Balindar Paswan Resident of village- Chak Baladhari Balba Koari, Ps- Sadar Hajipur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mrs.Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      25-10-2024                      Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sadar P.S. Case No. 257 of 2021 registered for the offence punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, it is alleged that the informant along with her husband was going to Muzaffarpur from his house by motorcycle. In the way, two miscreants riding on motorcycle chased them and snatched her gold chain of 7 gram from her neck and during the course of snatching the informant held the hand of miscreant but the miscreant pushed her from the motorcycle whereupon she fell down on the road and thereafter the miscreants fled away.



4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and during course of investigation, his name surfaced in this case upon the confessional statement of co-accused Prince @ Sarfaraj @ Raja. Except confessional statement of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner bears criminal antecedent of twelve cases. Petitioner has been roped in a case one after another in a routine manner without any basis. Because of having criminal antecedent, petitioner has been falsely implicated in this case. Basically, nothing has been recovered from conscious possession of the petitioner. Petitioner is in custody since 27.06.2023 but no TIP has been conducted as yet. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that having more or less similar allegation, co-accused Prince @ Sarfaraj @ Raja has already been granted bail by this court vide Cr. Misc. No. 21670 of 2022 and hence, petitioner also deserves bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the



case, period of custody, co-accused has already been granted bail, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Sadar P.S. Case No. 257 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall



continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(v) If petitioner violates any of the conditions enumerated above, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

**(Alok Kumar Pandey, J)**

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