

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1995 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Golu Paswan @ Sudama Paswan S/o- Brahmdeo Paswan @ Brahmdev
Paswan R/o Vill- Loknathpur Ganj, Ward No. 24, P.S. Dalsingsarai, District
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dalsinghsarai P.S. Case No. 278 of 2023, lodged on 10.07.2023
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against unknown accused persons against whom the
allegation in the said FIR is that they have snatched a scooty and
a bag of the informant and also fired on the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that nothing incriminating has been recovered from
the possession of the petitioner nor he was put on TIP. Counsel
further submits that the name of the petitioner has been figured
only by virtue of his self confessional statement.

5. Learned counsel for the petitioner submits that



other co-accused has been granted bail by the co-ordinate Bench of this Court vide order dated 19.12.2023 passed in Cr. Misc. No. 82250 of 2023. Counsel also submits that there are 13 criminal cases pending against the petitioner in which he is on bail and in the present case, the petitioner is in custody since 23.08.2023. Counsel further submits that the charge-sheet has already been filed in this case. Counsel also submits that the offence in which the petitioner has been charged are magisterial triable.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there are 13 criminal cases pending against the petitioner and at the time of consideration of bail application of the petitioner, this aspect may be taken into consideration.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Dalsinghsarai at Samastipur in connection with Dalsinghsarai P.S. Case No. 278 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. The petitioner shall be released by the Court only after verifying this fact that the petitioner is not absconding in any of 13 criminal cases.

(Dr. Anshuman, J.)

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