

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79723 of 2024

Arising Out of PS. Case No.-445 Year-2023 Thana- BAISI District- Purnia

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Kundan Kumar Paswan S/o- Baldeo Paswan Village- Yogipur Kanhauli Ps-
Narpatganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel appearing on
behalf of the petitioner and learned APP appearing
on behalf of the State.

2. The petitioner seeks bail in connection
with Baisi P.S. Case No. 445 of 2023 registered for
the offences under Sections 395 of the IPC.

3. Accused/petitioner is in custody since
27.07.2024.

4. Petitioner was the informant in Baisi P.S.
Case No. 445 of 2023, which was lodged for the
offence committed under Section 395 of the IPC,
where petitioner being informant alleged that the
cash of Rs. 1,70,960/- which was collected from the



field on behalf of M/s. Bharat Finance Company was looted by unknown miscreants, where during the course of investigation upon the basis of scientific evidence case lodged by informant/petitioner found false and it appears that Rs. 1,70,960/- was collected for M/s. Bharat Finance Company was misappropriated by this petitioner due to which present case was lodged.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with the present case. It is also pointed out that the difference of time is only of 15 minutes, which is possible for the reason that while the looted tab was in possession of miscreants it may took time of 15 minutes for crossing the occurrence area and concerned mobile tower and on this score alone petitioner cannot be implicated with present false case. It is submitted that upon instance of higher officials petitioner was made victim in this case. While concluding the argument it is submitted that no incriminating material was recovered from the possession of this petitioner



during the course of investigation, which may connect petitioner prima-facie with the present occurrence and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of nature of accusations as discussed above, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 27.07.2024, accordingly, petitioner, above named, is directed to be released on bail in connection with Baisi P.S. Case No. 445 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./ 480(3) of the BNSS.



(Chandra Shekhar Jha, J.)

S.Tripathi/-

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