

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89522 of 2024

Arising Out of PS. Case No.-66 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

Mukesh Kumar Paswan S/o- Satyanarayan Paswan R/vill- Nayatola Daheriya,
P.O. Daheriya Mills, PS- Katihar (N) District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the State : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-01-2025 Heard Mr. Rajive Ranjan Singh, learned counsel for
the petitioner and Mr. Dashrath Mehta, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
21.07.2024, in connection with Muffasil P.S. Case No. 66 of
2023, F.I.R. dated 29.03.2023 registered for the offences
punishable under Section 394 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 the confessional statement of co-accused person and apart from that one mobile has also been recovered from the possession of the petitioner. He further submits that the petitioner has purchased the same from co-accused person and he has no knowledge that the mobile was looted mobile and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.07.2024.

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 and the fact that the petitioner having clean antecedent and the petitioner is not named in the F.I.R., 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 Chief Judicial Magistrate, Katihar in connection with Muffasil P.S. Case No. 66 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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