

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87765 of 2024

Arising Out of PS. Case No.-361 Year-2024 Thana- SHIVSAGAR District- Rohtas

Ajit Paswan @ Vinay Kumar Paswan Son of Sri Mahendra Paswan @ Mahendra Ram Resident of Ulho, P.S.- Sheohar (Baddi), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate
For the State : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-01-2025 Heard Ld. counsel for the petitioner and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Shivsagar P.S. Case No. 361 of 2024, dated 02.08.2024, registered for the offences punishable under Section 305 of the B.N.S., 2023.

3. As per the allegation, the accused person has trespassed into the house of the informant and stolen away the box containing the valuables.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has been implicated by the informant in this case on account of the fact that the petitioner has given informant to the police regarding the involvement of the husband of the informant in illegal trade of illicit liquor. He



further submits that nothing has been recovered from the possession of the petitioner. He also submits that the petitioner has clean antecedent.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

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

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Shivsagar P.S. Case No. 361 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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