

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19307 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -BODHGAYA District- GAYA

1. Mithlesh Paswan @ Mithilesh Paswan Son of Sitaram Paswan Resident of Village : - Jodhpur, P.S. : - Bodh Gaya, District : - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.20734 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -BODHGAYA District- GAYA

1. Kamta Paswan, Son of Late Eku Paswan, Resident of Village- Gobraha, P.S. Belaganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.19307 of 2015)

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Md.Arif(App)

(In Cr.Misc. No.20734 of 2015)

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Md.Arif(App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-06-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case instituted for the offences under Sections 399, 402 of the Indian Penal Code and sections 25(1-b), 1A, 26 and 35 of the Arms Act.

The police on secret information raided the place of



occurrence and found certain persons who were making preparation for committing occurrence and on chase three persons were apprehended. Kamta Paswan is petitioner of Cr. Misc.No.20734 of 2015 and Mithlesh Paswan alias Mithilesh Paswan, is petitioner of Cr.Misc.No.19307 of 2015 who fled away from there. On the statement of three apprehended persons name of Mithlesh Paswan alias Mithilesh Paswan has been surfaced. Petitioner, Kamta Paswan, is in jail since 3.2.2015 and petitioner, Mithlesh Paswan alias Mithilesh Paswan is in jail since 12.3.2015.

Having considered the facts and circumstances of the case, let petitioners, namely, Mithlesh Paswan alias Mithilesh Paswan (Cr.Misc.No.19307 of 2015) and petitioner Kamta Paswan (Cr.Misc.No.20734 of 2015), be released on bail on 15.7.2015 on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate Gaya in Bodh Gaya P.S. Case No.37 of 2015, subject to the conditions that

- (i) one of the bailors shall be a close relative of the petitioners
- (ii) If the petitioners are found involved in future in similar type of case the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order

including cancellation of bail and (ii) petitioners would participate in the court proceeding and in the event of being absent on two consecutive dates, the court below will be at liberty to cancel the bail bonds of the petitioners.

(Shivaji Pandey, J)

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