

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32990 of 2014

Arising Out of PS.Case No. -57 Year- 2003 Thana -BIND District- NALANDA (BIHARSHARIFF)

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Satish Paswan son of Kishori Paswan, resident of villlage Ahiyachak , P.S. Bind , District Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Rajesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 18-02-2015

Heard learned counsels for the petitioner and the State.

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 147, 148, 149, 302, 307 of the Indian Penal Code and 27 of the Arms Act. The petitioner is in custody since 18.12.2012.

It is alleged that co-accused Rajendra Paswan and Upendra Paswan fired which hit to the informant's brother. Co-accused Anil Paswan, Banaras Paswan and Binod also fired at the injured causing injury on the head and chest, consequently the brother of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the accusation of firing is not against this petitioner

and earlier bail application was rejected only because the case was registered in 2003 and the petitioner was apprehended on 18.12.2012. Statement has been made in para 3 of the petition that the petitioner has no criminal antecedent. Statement has been made in para 11 that the case was committed to the Court of Sessions on 26.05.2014 and orally submitted that the charges have not been framed till date.

Considering the fact that the accusation of firing is not against the petitioner and there is no likelihood of trial being concluded in near future, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Fast Track Court No.I, Nalanda at Biharsharif in connection with Sessions Trial No. 391 of 2014 arising out of Bind (Asthawan) P.S. Case No. 57 of 2003.

The learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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