

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34627 of 2015

Arising Out of PS.Case No. -4 Year- 2014 Thana -DHANARUA District- PATNA

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Upendra Paswan, son of Ramdeo Paswan, resident of Village-Kushwan,
P.S.-Dhanarua, District-Patna.

.... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 29-07-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with S. Tr.
No. 359 of 2014 arising out of Dhanarua P.S. Case No. 4 of 2014
registered for the offences punishable under Sections 25(1-AA),
25(1-B)(a), 26 and 35 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 15.09.2014 passed in Cr.
Misc. No. 30523 of 2014 with following observations:-

“Since the case has already been committed to
the court of sessions for trial, the learned Ad
hoc Additional Sessions Judge-VI, Patna is

directed to hold the trial on day-to-day basis and conclude the same as early as possible preferably within nine months from the date of receipt/production of a copy of this order failing which the petitioner would be entitled to renew his prayer for bail in the court below itself.”

It is contended that the petitioner is in custody since 08.01.2014 and till date no witness has been examined on behalf of the prosecution during trial. It is further contended that another co-accused Sharan Vishwakarma has already been granted bail by a Bench of this Court vide order dated 13.02.2015 passed in Cr. Misc. No. 5567 of 2015.

Learned APP for the State has opposed the prayer for bail.

Regard being had to the facts and circumstances of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Adhoc A.D.J.-VI, Patna in connection with S. Tr. No. 359 of 2014 arising out of Dhanarua P.S. Case No. 4 of 2014.

(Ashwani Kumar Singh, J.)

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