

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14109 of 2015

Arising Out of PS.Case No. -568 Year- 2009 Thana -LAKHISARAI District- LAKHISARAI

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Shatrughan Paswan @ Shatroghan Paswan Son of Late Premi Paswan,
Resident of village- Kishanpur, P.S.- Lakhisarai, District- Lakhisarai
..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Anil Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

2 27-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under section 364/34 of the Indian Penal Code this Court was not inclined to grant bail to the petitioner keeping in view of the earlier order dated 4.10.2013 rejecting the prayer for bail of the petitioner in Cr.Misc.No. 15226/2013 but then what will weigh upon this Court is that the co-accused Sikandar Singh, whose prayer for bail was also rejected earlier as noticed in the order rejecting bail of the petitioner, has since been granted bail despite his having criminal antecedent of eight other cases and that the petitioner has got no criminal antecedent, this Court would direct for release of the petitioner, Shatrughan Paswan @ Shatroghan Paswan, 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 Adhoc Additional Sessions Judge V, Lakhisarai

in Sessions Case No. 846/2013 arising out of Lakhisarai P.S. Case No. 568/2009, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

surendra/-

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(Mihir Kumar Jha, J)

