

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28931 of 2015

Arising Out of PS.Case No. -366 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Arvind Paswan Son of Jagdish Paswan, resident of village- Banarasiya,
P.s.- Sasaram(M), District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Narsing Tanti (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 30-10-2015

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in Sasaram (Darigaon) P.S.
Case No.366/2015 registered under Section 394 of the Indian
Penal Code.

The prosecution case, in short, is that the informant
filed a written report before Darigaon P.S. stating that when he
reached at Veda Balathua (N.H.II) at about 8 P.M. on his Tempoo,
two persons arrived there and on the point of pistol snatched
Rs.25,000/- and mobile phone and fled away.

It is submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. He is in custody since
3.4.2015. The charge sheet has been submitted in this case. There
is no allegation of tampering with the evidence against the

petitioner. The petitioner is not named in the first information report. His name has come on the basis of confessional statement of co-accused which led to the recovery of Rs.10,000/- from the possession of the petitioner. The said recovered amount has not been put on T.I. Parade to ascertain as to whether the said recovered amount of Rs.10,000/- is looted one or not. The petitioner has been made accused due to mistake of fact. It is further submitted that the petitioner may be released on bail after completion of nine months from the date of custody, i.e., 03.04.2015.

On behalf of the State, it has been submitted that the petitioner is not named in the first information report.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail after completion of nine months from the date of custody, i.e., 03.04.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Darigaon) P.S. Case No.366 of 2015.

(Sudhir Singh, J)

V.P.Sinha/-

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