

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.784 of 2015

- =====
1. Subash Gupta @ Chandan @ Sushant @ Sawant S/O Devendra Gupta @ Devnarayan Gupta Resident of Village- Jahanabad, P.S.- Lalganj, District- Vaishali.
 2. Ram Balak Paswan @ Dhiraj Jee @ Rajat Jee S/O Yogendra Paswan Resident of Village- Tariyani Chhabra, P.S.- Tariyani, District- Sheohar.
- Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-1
For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-05-2016

It appears that by inadvertence the name of petitioner No. 2 namely Ram Balak Paswan @ Dhiraj Jee @ Rajat Jee has not been incorporated in the order dated 09.01.2015. Let the order dated 09.01.2015 be read as :-

“The petitioners are languishing in custody since 26.05.2014 in a case registered for the offences punishable under Sections 302, 120B of the I.P.C, 27 of the Arms Act, ¾ of the Explosive Substances Act and Section 17 of the Criminal Law Amendment Act.

The prosecution case is that two unknown persons fired at Ramchandra Prasad Singh @ Bhola Singh causing his instant death. The name of the petitioners sprang up on confession of Saheb Sahani and Rambali Rai who have been granted bail by a coordinate Bench of this Court vide Cr. Misc. No. 11767 of 2014.

It is submitted by learned counsel for the petitioners that though petitioners are accused in several cases, but in all those cases the petitioners have not been named in the F.I.R and their names subsequently sprang up on confession of the co-accused and in all those cases the petitioners are on bail.

Considering the suspicious nature of accusation and the fact that the co-accused on whose confessions the names of the petitioners have sprang up have been granted bail, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned F.T.C-V, Muzaffarpur in connection with Dewaria P.S. Case No. 90 of 2013, Sessions Trial No. 823 of 2013.

Let learned Court below cancel the bail bonds of the petitioners, if the petitioners get substantially involved in some serious nature of offence or defaults for three consecutive occasions during trial.”

The order dated 09.01.2015 stands modified to the extent as indicated above.

Let the order of this Court be transmitted to the learned Court below.

(Dinesh Kumar Singh, J)

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