

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52981 of 2015

Arising Out of PS.Case No. -16 Year- 2004 Thana -SIMRA District- AURANGABAD

Rakesh Paswan son of Late Krit Paswan, resident of village - Dosma, Police Station - Deo, District - Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.1948 of 2016

Arising Out of PS.Case No. -16 Year- 2004 Thana -SIMRA District- AURANGABAD

Dina Prajapati son of Late Rameshwar Prajapati, resident of village- Banua, P.S.- Dhibra, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.52981 of 2015)

For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

(In Cr.Misc. No.1948 of 2016)

For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 01-02-2016 These two cases arise out of a common FIR and, as such, they have been heard together and are being disposed of by a common order.

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

The petitioners seek bail in connection with Simra P.S.Case No.16 of 2004 registered under Sections 147, 148, 149, 323, 324, 341, 307, 302, 332, 353, 427, 436, 452, 379 and 380 of the Indian Penal Code, 27 of the Arms Act, 3/4 and 5 of the Explosive Substances Act and 17 of the C.L.A. Act.

It is contended that the petitioners are not named in the FIR and their names transpired for the first time during investigation in the confessional statement of co-accused Binod Singh after ten years of the alleged occurrence. It is further contended that several other co-accused persons, namely, Lallu Chamar (Mochi), Bihar Chouhan @ Bihar Nonia @ Bijay Chauhan, Vinay Yadav @ Kamal jee and Ramesh Thakur have already been granted bail by different orders passed by different benches of this Court.

Learned counsel for the State has contended that during course of investigation the names of the petitioners transpired in the disclosure made by some of the co-accused.

Regard being had to the facts and circumstances of the case, the petitioners, namely, Rakesh Paswan (Cr. Misc. No.52981 of 2015) and Dina Prajapati (Cr. Misc. No.1948 of 2016) are directed to 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 learned Additional District Judge-V,
Aurangabad in connection with Simra P.S. Case No.16 of 2004
corresponding to S. Tr. No. 303D of 2004/110 of 2015.

(Ashwani Kumar Singh, J)

Md.S./-

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