

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 9955 of 2016

Arising Out of PS.Case No. -567 Year- 2014 Thana -ARA NAWADA District- BHOJPUR

Pawan Paswan, Son of Ram Ayodhya Paswan, Resident of Jawahar Tola,
P.S. Ara Nawada, District - Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.12741 of 2016

Arising Out of PS.Case No. -567 Year- 2014 Thana -ARA NAWADA District- BHOJPUR

Suraj Paswan, Son of Late Binod Paswan, Resident of Jawahar Tola, P.S.-
Ara Nawada, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.9955 of 2016)

For the Petitioner : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party : Mr. Tapeswar Sharma(APP)

(In Cr.Misc. No.12741 of 2016)

For the Petitioner : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party : Mr. Nazir Ansari(APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-04-2016 Both the above noted applications have arisen out of one occurrence, i.e. Ara Nawada P.S Case No. 567 of 2014 registered for the offence punishable under Sections 302/201 of the Indian Penal Code and Section 120B of the Indian Penal Code and Section 27 of Arms Act and, as such, they have been heard

together and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned A.P.P. representing the State.

First Information Report is against unknown with an allegation that a dead body of unknown was recovered and during investigation the dead body was identified as of Munna Paswan and further it transpires that the petitioners might have killed Munna Paswan as they are of criminal nature.

Submission is of false implication and that besides suspicion there is nothing against the petitioners, witnesses examined during investigation have only suspected the hands of the petitioners, there is no legal and tangible material against them and they are suffering in custody since 21.01.2015.

Learned APP opposes the prayer of bail and submits that the petitioners have got criminal antecedent. Petitioner Suraj Paswan has confessed his guilt also.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such, petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of the learned Chief Judicial

Magistrate, Bhojpur in connection with Ara Nawada P.S. Case No. 567 of 2014, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

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