

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22347 of 2016

Arising Out of PS.Case No. -118 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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Gayan Chand Paswan @ Kachloo Paswan S/o Late Ram Khilon Paswan
Resident of Village - Madarganj, P.S. - Simraha, District - Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr. P.K.Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 23-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 395, 397 of the Indian Penal Code and Sections 34 of the Explosive Substance Act.

The prosecution case, in brief, is that in the night of 12/13.04.2015 the informant, his wife and son came out of the house and saw that 5-6 persons were talking on the road. When the informant asked about their standing on the road, then they abused him and started to come towards his house. Thereafter the informant along with his wife and son had hidden themselves in the house. The miscreants entered in the house through the window and looted golden and silver jewellery and cash of Rs.6,000/-. The miscreants also committed dacoity in the house of

Upendra Meta, neighbour of the informant and at the time of fleeing they exploded bombs.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.12.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has appeared on the basis of confessional statement of co-accused. The petitioner has not been put on Test Identification Parade. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. case No.118 of 2015.

(Sudhir Singh, J)

Narendra/-

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