IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20731 of 2016

Arising Out of PS.Case No. -51 Year- 2015 Thana -SIMULTALA District- JAMUI

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Binod Paswan, Son of Basudeo Paswan, Resident of village- Kalyanpura (Kasnatari), P.S.- Simultala, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Ajay Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

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2 18-05-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Simultala P.S. Case No. 51 of 2015, registered under Section 387/34 of the Indian Penal Code and Section 25(1-B)A, 26 of the Arms Act.

The accusation is of making demand of ransom of Rs. 50,000/- from the informant, who is railway contractor, by this petitioner and one Bhola Paswan on the point of pistol. It is further alleged that just after making the demand of ransom, Police reach there and petitioner along with co-accused Bhola Paswan apprehended at the very short distance of the place of occurrence. On search, one country made pistol and two live cartridges were recovered.

Learned counsel for the petitioner submits that, in fact, informant who is railway contractor was taking soil from the agricultural field of the petitioner and this petitioner made

protest due to that reason the petitioner has falsely been implicated in this case. Further submission is that petitioner and other co-accused have been apprehended by the Police and on search both were found in possession of one pistol and two cartridges. Further submission is that petitioner is accused in four other cases, as detailed in para 3 of the petition, but in all cases he is on bail. The petitioner is in custody since 05.12.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jamui in connection with Simultala P.S. Case No. 51 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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