

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23900 of 2016

Arising Out of PS.Case No. -201 Year- 2010 Thana -NAWINAGAR District- AURANGABAD

Ajay Paswan @ Ojha Paswan son of Biphan Paswan, resident of village-
near Dehri Railway Station, Mohalla- Lalganj (Chuna Bhatta), Ward No.
19, P.S.- Dehri, District- Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mrs. Meena Singh(APP)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-06-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection
with Nabinagar P.S. Case No. 201 of 2010 registered for offence under
section 395 of the Indian Penal Code.

An allegation has been made that the Informant Mushir
Khan was returning with his ailing (cancerous) brother Junaid Khan in
a Safari vehicle and at 5 Kilometer away from Nabinagar police station,
eight miscreants, covering their faces, suddenly emerged, stopped the
vehicle on the point of pistol, forcibly got them down and looted away
money and material

Learned counsel for the petitioner has submitted that
during investigation, nothing transpired against the petitioner and
merely on suspicion, he has been made accused in this case. It is also

recorded that the petitioner is a member of Gorakh Ram, a criminal gang. The petitioner has got criminal antecedent. The petitioner is in custody since 3.1.2016.

Looking to the facts and circumstances of the case, let the petitioner, namely, Ajay Paswan @ Ojha Paswan, 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, Aurangabad in connection with Nabinagar P.S. Case No. 201 of 2010, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Nabinagar police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been cancelled.

(Shivaji Pandey, J)

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