

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58357 of 2015

Arising Out of PS.Case No. -61 Year- 2015 Thana -PARSAUNI District- SITAMARHI

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1. Birendra Paswan Son of Ram Swarth Paswan Resident of Village -
Pershurampur, P.S.- Persauni, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Harendra Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Persauni P.S.
Case No. 61 of 2015 registered for the offences punishable under
Sections 414, 120B of the Indian Penal Code and Sections 25(1-
B)A, 26/35 of the Arms Act.

Allegedly, acting on a tip off, raid was conducted and
four persons were apprehended with motorcycle and two persons
succeeded in fleeing away with motorcycle and from apprehended
four co-accused persons arms and ammunitions were recovered
and they stated the name of the petitioner.

Submission is of false implication and that nothing has
been recovered from possession of the petitioner, no crime was
committed, he has not been caught at the spot and is suffering in

custody since 24.06.2015 and as such he deserves sympathetic consideration to which the learned APP fairly submits that name of the petitioner was taken by other co-accused who were caught at the spot with firearm and other articles.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Persauni P.S. Case No. 61 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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