

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53116 of 2015

Arising Out of PS.Case No. -173 Year- 2014 Thana -BARAHIYA District- LAKHISARAI

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1. Nandlal Paswan @ Chethru Paswan, son of Late Siyaram Paswan,
 Resident of Village- Dih Khutaha, P.S.- Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s Mr. R.S.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 03.08.2016

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 147, 148, 149, 452, 302, 120B/34 and other of the Indian Penal Code and section 27 of the Arms Act.

Earlier prayer for bail of the petitioner was rejected by this court vide order dated 13.4.2015 passed in Cr. Misc. no. 3048/2015 and analogous cases but again, this bail petition has been filed on behalf of the petitioner on the ground that co- accused Pankaj Singh, Awadh Singh and Sudhir Singh have already been granted privilege of bail by different benches of this court.

It is pointed out on behalf of the petitioner that it was co-accused Pankaj Singh who is said to have caused death of informant's husband by opening firearm and the aforesaid Pankaj Singh has already been granted privilege of bail by a coordinate bench of this

court vide order dated 27.10.2015 passed in Cr. Misc. no. 47176/2015.

It is further submitted that according to the prosecution case itself, petitioner was not found present on the roof of the deceased and it is said that he was standing outside the house of the deceased at the relevant time. So, at best, there is only allegation of conspiracy against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that the petitioner does not have any criminal antecedent and is languishing in jail custody since 11.10.2014, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai in Barahiya P.S. Case no. 173/2014.

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(Hemant Kumar Srivastava,J)

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