

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53953 of 2015**

Arising Out of PS.Case No. -16 Year- 2015 Thana -PATAHI District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Lakhindra Paswan Son of Jodhan Paswan @ Dasai Hazra Resident of  
Village- Bakhri, P.o Bakhri, P.s Patahi, District East champaran.

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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

3      19-01-2016              Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Patahi P.S.  
Case No. 16 of 2015 registered for the offences punishable under  
Sections 384, 506, 120B/34 of the Indian Penal Code and Section  
17 of C.L.A. Act.

The petitioner is not named in the FIR and his name  
transpired in the statement of witnesses that he was talking with  
co-accused Kunkun Pandey in a liquor shop that something is to  
be done then the land will come in their possession and  
accordingly, the petitioner was arrested and he confessed his guilt.

Submission is of false implication and that on the weak  
evidence the petitioner was arrested and the Police after adopting

3<sup>rd</sup> degree method got recorded his confessional statement, the petitioner has got no concern with any extremist organization and he is suffering in custody since 03.09.2015.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioner was not identified at the time when poster was pasted and by remaining in custody, at this stage, the petitioner has sufficiently been penalized, 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 learned Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Patahi P.S. Case No. 16 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.

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**(Jitendra Mohan Sharma, J)**

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