

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55206 of 2015**

Arising Out of PS.Case No. -6 Year- 2015 Thana -BIHRA District- SAHARSA

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1. Amit Paswan, son of Rajendra Paswan, resident of Village- Samda, P.S.-  
Sour Bazar, District- Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Ram Sumiran Roy (App)

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

3      14-03-2016      Heard the learned counsel for the petitioner as well as  
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence  
punishable under section 394/34 of the I.P.C

The petitioner is not named in the First Information  
Report, during investigation the name of the petitioner and other  
co-accused transpires that they were moving near the place of  
occurrence and further the petitioner and co-accused Manish  
Kumar have confessed their guilt.

Submission is of false implication and that the  
petitioner is in custody since 14.03.2015 but he has not been put  
on the test identification parade, nothing has been recovered from  
his conscious possession and besides suspicion and the

confessional statement there is nothing against the petitioner, co-accused Manish Kumar and Ganga Yadav have already been allowed bail by another coordinate Benches of this Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, the petitioner is also directed to 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 J.M. 1<sup>st</sup> Class, Saharsa in Bihra P.S. Case No. 06 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)**

Abhay/-

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