

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4014 of 2016

Arising Out of PS.Case No. -4 Year- 2010 Thana -AKBARNAGAR District- BHAGALPUR

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Jai Paswan @ Ashok Paswan @ Jai Da, Son of Kesho Paswan, resident of
village - Jari Paharpur, P.S. Giddhor, District - Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. A.L.Pandit(App)

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

2 15-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Akbar
Nagar P.S. case No. 04 of 2010 registered for the offences
punishable under Sections 147, 148, 149, 342, 323, 324, 326, 307,
332, 333, 379, 380, 353 of the Indian Penal Code and Section 27
of Arms Act and Section 17 of C.L.A. Act. Lateron Sections 395,
397 and 121 of Indian Penal Code have been added.

Petitioner wants to renew the prayer for bail which was
earlier rejected vide order dt. 06.08.2014 passed in Cr. Misc. No.
50896/2012 on the ground that the petitioner is suffering in
custody since 07.04.2012 but he has not been put on T.I.P. Besides
confessional statement, there is no material against the petitioner



but as he was involved in some criminal cases and on that ground alone, the prayer of bail of the petitioner was earlier rejected whereas other co-accused namely Dharmendra Kumar Das @ Dharo Das, Dinesh Das, Dabloo Chaurasia @ Nityanand Chaurasia, Tarkeshwar Rai @ Taro @ Mandal @ Tarkeshwar Mandal @ Taro Mandal and Suresh Yadav @ Nagendra Yadav @ Nagendra Das @ Nagendra Da have already been allowed bail by coordinate Benches of this Court. It is submitted that in those nine cases, the petitioner is on bail and in near future, the trial is not likely to be concluded.

Learned A.P.P. fairly submits that earlier the prayer of bail of the petitioner was rejected on the ground of his criminal antecedent.

In the facts and circumstances stated above, considering the detention of the petitioner, now he 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 1st Adhoc Additional District Judge, Bhagalpur arising out of Akbar Nagar P.S. case No. 04 of 2010 subject to the conditions that one of the bailors must be 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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