

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28184 of 2016

Arising Out of PS.Case No. -72 Year- 2012 Thana -BENIPATTI District- MADHUBANI

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Bhulan Paswan @ Bulan Paswan @ Bulan son of Shibu Paswan @ Sibul
Paswan Resident of Village Misrauli, P.S. Simri, District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kr. Sinha, Sr. Adv.
Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 10-08-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is seeking bail in connection with S.T. No. 326 of 2014 arising out of Benipatti P.S. Case No. 72 of 2012 for offence under Sections 395/397/412 of the Indian Penal Code.

An allegation has been made that certain persons committed dacoity and they fled away, also resorted to firing. The motorcycle, which was used in the alleged dacoity, was identified belonging to the petitioner.

This Court had called for a report which reflects that the prosecution has already examined four witnesses but, thereafter, no witness has been examined by the prosecution. The petitioner is in judicial custody since 10.4.2014.

Looking to the period of custody, let the petitioner, namely, Bhulan Paswan @ Bulan Paswan @ Bulan, 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 learned IInd Additional Sessions Judge, Madhubani in connection with S.T. No. 326 of 2014 arising out of Benipatti P.S. Case No. 72 of 2012 (G.R. No. 1331 of 2012), subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Benipatti police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been cancelled.

Rishi/-

(Shivaji Pandey, J)

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