

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54755 of 2016

Arising Out of PS.Case No. -26 Year- 2014 Thana -GADHPURA District- BEGUSARAI

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Shambhu Paswan, son of Ram Udgar Paswan, Resident of Village –
Bikrampur, P.S. Cheriya Bariarpur, District – Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

This is an application for grant of regular bail for
offences punishable under Sections 392 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the
petitioner is not named in the First Information Report.
Petitioner's name transpired in this case only on the basis of
confessional statement of co-accused, namely, Lalu Kumar.
Nothing has been recovered from the conscious possession of the
petitioner and he has also not been put on Test Identification
Parade. It has further been submitted that now the charge-sheet has
been filed and the petitioner has been languishing in judicial
custody since 11.07.2016.

Learned Additional Public Prosecutor, appearing on
behalf of the State submitted that petitioner has got criminal



antecedents, which is evident from paragraph -3 of the bail application.

Having heard both sides and in view of the fact that petitioner is not directly involved in this case, his name transpired only on the basis of confessional statement made by the co-accused and the petitioner has been in judicial custody since 11.07.2016, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Pushpendra Kumar Pandey learned Judicial Magistrate -1st Class, Begusarai, in connection with Garhpura P.S. Case No. 26 of 2014 with the condition that one of the bailors will be his family members, having sufficient immovable property within the jurisdiction of the concerned court and petitioner will cooperate in the trial or investigation and shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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