

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26804 of 2016

Arising Out of PS.Case No. -463 Year- 2015 Thana -GAYA MUFFSIL District- GAYA

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Rajesh Ram @ Rajesh Paswan Son of Surendra Paswan Resident of
Village- Amokhar, Police Station Paraiya District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlendra Pd. Singh

For the Opposite Party/s : Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 12-07-2016 Heard Sri Kamlendra Prasad Singh, learned counsel for
the petitioner and Sri Madan Kumar, learned A.P.P.

The sole petitioner, who is in custody in connection
with Muffasil P.S. Case No. 463 of 2015 registered for the offence
under section 302, 379/ 34 of the Indian Penal Code and Section
27 of the Arms Act, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner
that though in the F.I.R. petitioner was arrayed as one of the
accused along with number of accused persons, during
investigation nothing was collected against the petitioner and
thereafter, the petitioner was exonerated by the police and his
name was incorporated in column no. 12 of the charge sheet. He
has referred to Annexure – 3 to the petition i.e. a photo copy of

the charge sheet. It was submitted by learned counsel for the petitioner that though the petitioner was exonerated by the police the learned Chief Judicial Magistrate differing with the police report has taken cognizance of offence.

Keeping in view the fact that petitioner was initially exonerated by the police and he is in custody, there is no reason to further detain the petitioner.

Let the petitioner **Rajesh Ram @ Rajesh Paswan** be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 463 of 2015.

(Rakesh Kumar, J)

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