

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55480 of 2015

Arising Out of PS.Case No. -149 Year- 2014 Thana -MOKAMAH District- PATNA

Surendra Paswan @ Bantha Son of Ramashray Paswan Resident of village-
Mekra, P.S.- Mokama, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-01-2016 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner is languishing in jail custody since
06.01.2015 in connection with Mokama P.S. Case No. 149/2014,
Sessions Trial No. 692/2015 for offences alleged under Sections 395,
412/34 of the Indian Penal Code.

The prosecution case, in brief, is that on 18.07.2014 the
informant submitted a written report before the Officer-Incharge
Mokama Police Station alleging that he being the driver of the pick-up
van, while going to Munger Mandi carrying seasonal fruits from Patna,
four persons on a Sumo vehicle suddenly overtook his pick-up van and
hijacked the vehicle after he was tied with a pole. However, he
managed to reach Mokama Police Station and on the basis of
information provided by him, the police instituted the present case.

It has been submitted by the learned counsel for the

petitioner that the petitioner is not named in the FIR, although charge-sheet has been submitted against him. It has further been submitted by the learned counsel for the petitioner that other co-accused persons who are similarly situated have since been granted bail by a co-ordinate bench of this Court in Cr. Misc. No. 12942/2015, Cr. Misc. No. 8285/2015 and Cr. Misc. No. 24988/2015.

On the other hand, learned A.P.P. submits that the name of the petitioner has surfaced during the course of investigation.

Considering the facts that other co-accused have been granted privilege of bail and the petitioner has not yet been put on T.I. Parade, let the petitioner, namely, Surendra Paswan @ Bantha 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 the learned ADJ III, Barh, Patna in connection with Mokama P.S. Case No. 149/2014 (Sessions Trial No. 692/2015).

However, since the petitioner is involved in a number of cases of similar nature, if the petitioner in future is found to have indulged in an offence of similar nature, the learned court below will be at liberty to cancel the bail bond of the petitioner without being prejudiced by this order.

(Nilu Agrawal, J.)

Rakhi

U		T	
---	--	---	--