

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56223 of 2015

Arising Out of PS.Case No. -175 Year- 2014 Thana -AMAS District- GAYA

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Ram Swaroop Paswan son of Chamari Paswan resident of Village - Dhat Khurha, P.S. - Sherghati, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 11-02-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Amas P.S. Case No. 175 of 2014 registered for the offences punishable under Sections 395, 328 and 412 of the Indian Penal Code.

The petitioner is not named in the First Information Report, the case has been lodged against unknown for abducting the Truck bearing registration No. HP-12-D-2758 loaded with Horlics and during investigation, the name of the petitioner transpires in the confessional statement of the co-accused.

Submission is of false implication and that the petitioner is suffering in custody since 03.04.2015, but he has not



been put on Test Identification Parade, nothing has been recovered from conscious possession of the petitioner, save and except, hear-say evidence and the confessional statement, there is nothing against the petitioner, in this case other co-accused namely Sunil Kumar Paswan @ Sunil Paswan, Sunil Pandey and Sandeep Kumar Paswan have already been allowed bail vide order dated 13.08.2015, 05.08.2015 and 10.09.2015 passed in Criminal Miscellaneous Nos. 30377, 29219 and 41535 of 2015 and further, Akhilesh Paswan @ Akhlesh Paswan, Bachan Paswan and Jitendra Paswan have already been allowed bail vide order dated 10.11.2015 passed in Criminal Miscellaneous Nos. 32884, 49560 and 50425 of 2015.

Learned A.P.P. is not in a position to distinguish the case of the petitioner from those co-accused.

In the facts and circumstances stated above, the petitioner, above named, is also 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 Sub-Divisional Judicial Magistrate, Sherghati, Gaya arising out of Amas P.S. Case No. 175 of 2014, 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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