

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22349 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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1. Basuki Nath Paswan Son of Late Bujhawan Paswan resident of village
Hasanpur Kumhar Toli P.S. Muffasil, District Samastipur.

.... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Rana Randhir Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 24-05-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sugauli
Rail P.S. Case No. 37 of 2015 registered for the offences
punishable under Sections 395, 397 of the Indian Penal Code.

First Information Report is against 7-8 unknown
miscreants for committing dacoity in Jan Nayak Train at
Chanpatia Station. During investigation on the basis of
confessional statement of Santosh Sah the name of the petitioner
transpires which is evident from the impugned order itself and
further the petitioner also confessed his guilt accepting that he was
also given Rs. 2500/- in share and further the tower location of the
mobile of the petitioner was found near the place of occurrence.

Submission is of false implication and that nothing was

recovered from conscious possession of the petitioner, he has not been put on test identification parade and he is in custody since 08.01.2016 and co-accused Santosh Sah has already been allowed bail vide Cr. Misc. No. 20076 of 2016 by another co-ordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration.

Learned APP submits that the petitioner is accused in one another case also.

In the facts and circumstances stated above, the petitioner above named is 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 Railway Magistrate, Bettiah, West Champaran in connection with Sugauli Rail P.S. Case No. 37 of 2015, subject to the conditions that one of the bailors must be a 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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