

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4801 of 2016**

Arising Out of PS.Case No. -119 Year- 2012 Thana -RAMGARHWA District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Birendra Paswan S/O Brahamdeo Paswan R/O Village- Bithu, P.S.-  
Kewati, Dist.- Darbhanga (Bihar).
  2. Jitendra Kumar Paswan S/O Opindra Paswan R/O Village-Punerwas Bi  
Tola Ward no.-2, P.S.- Malangwa Haripur, District- Sarlahi (Nepal).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. M. Jha (App)

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

ORAL ORDER

3      30-03-2016                      Heard the learned counsel for the petitioners and  
the learned A.P.P. representing the State.

The petitioners seek bail in connection with  
Ramgarhwa P.S. Case No. 119 of 2012 registered for the  
offences punishable under Section 395 of the Indian Penal  
Code and Section 27 of the Arms Act.

First Information Report is against 15-20 unknown,  
the name of the petitioners transpired in the confessional  
statement.

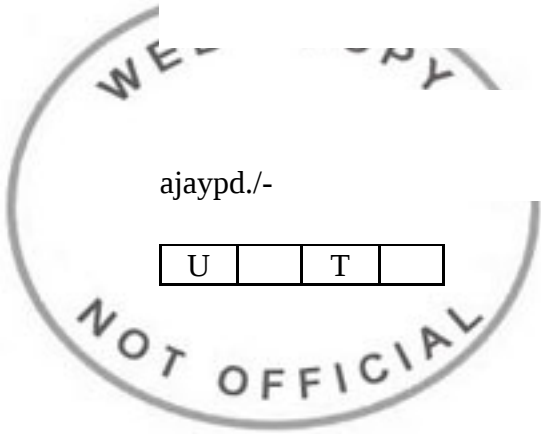


Submission is of false implication and that besides confessional statement and criminal antecedent, there is nothing against the petitioners and they are suffering in custody since 15.10.2015, after their remand in this case, other co-accused Raju Paswan, Sanjay Paswan and Ramesh Paswan have been allowed bail by another co-ordinate Bench of this Court, and as such, the petitioners also deserve sympathetic consideration.

The learned A.P.P. is not in a position to distinguish the case of the petitioners from those co-accused.

In the facts and circumstances stated above, the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Ramgarhwa P.S. Case No. 119 of 2012, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall

disentitle the petitioners from privilege of bail.



**(Jitendra Mohan Sharma, J)**