

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26690 of 2016

Arising Out of PS.Case No. -80 Year- 2009 Thana -SAHKUND District- BHAGALPUR

Manoj Paswan, son of Mohan Paswan, resident of Village-Keshopur P.S.
Jamalpur, District Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Subash Chandra Mishra(App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 11-07-2016 Heard Sri Shiwesh Chandra Mishra, learned
counsel for the petitioner and Sri Subash Chandra Mishra, learned
Addl. Public Prosecutor.

The sole petitioner, who is in custody since
12.02.2012 in connection with Shahkund P.S. Case no.80/2009,
corresponding to Sessions Trial No.601/2014, has prayed for grant
of bail.

It was submitted by learned counsel for the
petitioner that the petitioner was not named in the F.I.R. However,
during investigation, the petitioner was made accused. Initially the
F.I.R. was lodged under Section 392 of the Indian Penal Code on
the basis of facts disclosed in the fardbeyan of the informant that
in the occurrence, four persons have participated. However, after

investigation, chargesheet was submitted against five accused persons. It has categorically been stated in paragraph-3 of the petition that the petitioner is having clean antecedent. Though charge was framed long back, till date only two seizure witnesses have been examined.

Keeping in view the clean antecedent of the petitioner as well as period of custody, let the petitioner, namely, Manoj Paswan be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Sessions Judge, Bhagalpur in connection with S.T. No.601/2014 arising out of Shahkund P.S. Case no.80/2009 with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) during trial, the petitioner shall remain physically present before the trial court on each and every date. If continuously on two dates, without prior permission of the trial court, the petitioner remains absent, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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