

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46311 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -JAIRAMPUR District- SEKHPURA

- =====
1. Pappu Paswan
 2. Bijay Paswan
 3. Harikant Paswan
 4. Pawan Paswan
 5. Rahul Paswan
 6. Sonu Paswan
 7. Chhotu Paswan

.... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh

For the Opposite Party/s : Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 20-12-2016

Heard both sides.

The petitioners seek bail in Jairampur P.S. case No. 53 of 2015 under Section 395, 397 of the Indian Penal Code.

Dipak Kumar, the informant, alleged that when he reached near Jagdishpur turning, six persons were standing there. They were armed with weapons. The accused persons looted his belongings, purse, ATM card, money and mobile. The informant identified one Pappu Paswan, petitioner No.1.

Dr. Anjani Prasad Singh, the learned counsel for the petitioners, submits that informant identified only Pappu Paswan, petitioner No.1, and from the written application of Dipak Kumar, the informant, it would appear that name of petitioner No.2, Bijay Paswan, was inserted. The names of petitioners No.3 to 7 are not



mentioned in the FIR. Their names figured in the case in confessional statement of Mantu Paswan, from whose possession mobile in which looted SIM had been inserted was recovered. Save and except confession of co-accused there is no material against petitioners Nos. 2 to 7. The petitioners are in jail since 01.08.2016.

Considering the fact that informant identified Pappu Paswan, petitioner No.1, I am not inclined to enlarge the petitioner No.1 on bail. Accordingly, the same is rejected.

So far as case of petitioners Nos. 2 to 7 are concerned, name of petitioner No.2 appears to have been inserted in the FIR in a different pen and writing and name of petitioners Nos. 3 to 7 surfaced in the case in the confessional statement of Mantu Paswan, who has already been granted bail, the above named petitioners Nos. 2 to 7 are directed to 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 the learned Additional Chief Judicial Magistrate-I, Sheikhpura in Jairampur P.S. Case No. 53 of 2015, G.R. No. 990 of 2015.

(Prabhat Kumar Jha, J)

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