

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4235 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Lal Bahadur Paswan @ Lal Babu Paswan Son of Nand Lal Paswan,
Resident of Village- Baraharak, Ward No. 12, P.S.- Pakaridayal, District-
East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 07.10.2016 in connection
with Pakarideyal P.S. Case No. 121 of 2016 registered under Sections
147, 148, 149, 302, 307, 120B/34 of the Indian Penal Code and Section
27 of the Arms Act.

Learned counsel for the petitioner has submitted that the
petitioner, who is of clean antecedent, has falsely been implicated in
this case. In fact, the petitioner has not been named in the F.I.R. and
merely on the basis of call detail report, which is at paragraph 80 of the
case diary, name of this petitioner has been surfaced in this case. Except
this, no any cogent material against the petitioner is available on record.
Moreover, co-accused, Suman Kumar Singh, having more or less



similar allegation has been granted regular bail a co-ordinate Bench of this Court in Cr. Misc. No. 4117 of 2017. The petitioner is rotting in custody for the last five months.

Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned 5th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Pakrideyal P.S. Case No. 121 of 2016.

(Arvind Srivastava, J)

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