

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4045 of 2017

Arising Out of PS.Case No. -117 Year- 2016 Thana -KHODABANDPUR District-
BEGUSARAI

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1. Rajnish Paswan @ Rajanish Kumar Paswan, Son of Arjun Paswan,
resident of village- Bara, P.S. - Khodawanpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite

Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Alok Kumar Sinha

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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

ORAL ORDER

3 27-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Khodwandpur P.S. Case No. 117 of 2016 registered for the
offence punishable under Section 394 of the Indian Penal Code.

Two un-known miscreants riding on a motorcycle,
stopped the truck which was being driven by the informant and
demanded money after entering into the truck from both side
window and when the informant refused to give money, one of the
miscreants, having fair complexion, shot fire which hit his right
arm, and when informant and Khalasi raised alarm, both



miscreants fled away. The informant claimed to identify both the miscreants. During investigation, on the basis of information furnished by spy, the petitioner was apprehended and Khalasi, Bechu identified the petitioner, resulting the petitioner is in custody since 15.09.2016.

Submission is of false implication and that no test identification parade was conducted though informant has claimed to identify the miscreants after seeing, and the identification made by the Khalasi is not legal and proper. Nothing has been recovered from possession of the petitioner and only on the basis of suspicion he is suffering in custody since 15.09.2016 and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that no TIP was conducted.

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 S.D.J.M., Manjhwala, Begusarai in connection with Khodawandpur P.S. Case No. 117 of 2016 subject to the conditions that one of the bailors must be 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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