

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33244 of 2017

Arising Out of PS.Case No. -151 Year- 1999 Thana -MASAURHI District- PATNA

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1. Sudama Paswan, Son of Rajballam Paswan, Resident of Village-
Chapaur, P.S.- Masaurhi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 15-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sessions Trial
No. 418/2015, arising out of Masaurhi P.S. Case No. 151/1999 for
offences punishable under Sections 364, 120-B, 302/34 of the
Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that his son Kanti Singh was taken by the wife of Mahendra
Yadav along with other co-accused named in the First Information
Report and 3-4 unknown persons and thereafter he was found
dead.

It has been submitted by the learned counsel for the



petitioner that he is innocent and not named in the First Information Report, but just because he has a criminal antecedent and that some of the co-accused have named him, he has been made accused in the present case. He submits that petitioner is languishing in custody since 07.09.2005 and remanded in the present case on 24.11.2014 and is in custody in the present case since then.

However, learned APP for the State opposes the prayer for bail.

With regard to the stage of trial a report was called for and a report has been sent by the Special Judge, NIA cum ADJ-IV, Patna stating therein that in Sessions Trial No. 418/2015, there are altogether 25 witnesses, but only four witnesses have been examined till date.

Considering the facts and circumstances and the materials on record, since the trial is not likely to be concluded in recent future, let petitioner, above named, 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 A.D.J.-VI, Patna, in connection with Sessions Trial No. 418/2015, arising out of Masaurhi P.S. Case No. 151/1999,



subject to the following conditions :

- (i) The petitioner will not indulge himself in similar or any other offence.
- (ii) One of the bailors must be the close relative of the petitioner.
- (iii) The petitioner will be well represented in the court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned court concerned.
- (iv) Petitioner will also appear before the concerned police station in the first week of every month.

(Nilu Agrawal, J)

Rajesh/-

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