

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.495 of 2017

Arising Out of PS.Case No. -84 Year- 2015 Thana -JALE District- DARBHANGA

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Badal Paswan, S/o Late Kari Paswan, Resident of Village - Dara Singhiyon,
P.S. - Bheja, District - Madhubani, presently at Village - Behrari, P.S. -
Ghoghardiha, District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since
31.03.2016 in connection with Jalley P.S. Case No. 84/15 for
offences punishable under Sections 395, 397 of the Indian Penal
Code.

The prosecution case, as lodged by the informant,
is that 15-20 armed dacoits came to his house, injured the inmates
of the house and committed dacoity of large number of articles,
cash and jewellery.

It has been submitted by the learned counsel for
the petitioner that he is innocent, not named in the First
Information Report and has falsely been implicated in the
aforesaid case only on the basis of confessional statement of



another co-accused and his own confessional statement made before the police. He submits that no Test Identification Parade has been done so far and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It is further submitted that one of the co-accused has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 40247 of 2016 on 26.09.2016.

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

Be that as it may, considering the facts and circumstances and that another co-accused has been granted the privilege of bail, 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 Chief Judicial Magistrate, Darbhanga, in connection with Jalley P.S. Case No. 84/15.

Since petitioner is an accused in three more cases of similar nature, he will appear before the police/ court on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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