

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1257 of 2017

Arising Out of PS.Case No. -1 Year- 2013 Thana -BEERPUR District- BEGUSARAI

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Gabbar Paswan, S/o Ramdeo Paswan, Resident of village - Tiltrath, P.S.
Barauni, District - Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
07.12.2013 in connection with Birpur P.S. Case No. 01 of 2013
registered for the offence punishable under Section 392 of the
Indian Penal Code.

The prosecution case is that on 02.01.2015 at about
10:10 A.M. while the informant was going to open the Branch,
two accused persons having covered their face, stopped him and
on the point of pistol, they looted Rs. four lacs and fled away.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and has been remanded to judicial custody in the present



case and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. He submits that no Test Identification Parade has been done so far.

However, learned A.P.P. for the State opposes the prayer for bail stating that the petitioner has three more cases pending against him and out of which two cases are of similar nature.

Considering the facts and circumstances, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Puspendra Kumar Pandey, learned Judicial Magistrate 1st Class, Begusarai in connection with Birpur P.S. Case No. 01 of 2013, subject to the condition that petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear in the learned Court below, as and when required.

It is also made clear that if, in future, petitioner is found to be committing offence of similar nature, then the learned Court below will be at liberty to cancel the bail bonds of the petitioner without being prejudiced with this order.



With these observations and directions, this application stands allowed.

(Nilu Agrawal, J.)

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