

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9172 of 2017

Arising Out of PS.Case No. -5 Year- 2016 Thana -KURTHA District- JEHANABAD

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Kamlesh Paswan, son of late Kishori Paswan, resident of Village- Gangati,
Police Station- Belaganj, District- Gaya(Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Smt. Veena Rani Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-02-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Kurtha P.S.Case No. 05 of 2016 registered for the offences punishable under Sections 328 and 394 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner is in custody for the last six months and except confessional statement before police of co-accused there is nothing against the petitioner. It has also been submitted that though petitioner has criminal antecedent but in all those cases,, which have been lodged against unknown, petitioner has been remanded.

Heard learned APP also, who has not controverted the aforesaid submission.

Having heard both sides and considering the fact that no doubt there are 10 other cases against the petitioner but in the



present case except confessional statement there is nothing against him and he is in custody for six months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Arwal, in connection with Kurtha P.S.Case No. 05 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move the cancellation of his bail.

(Vinod Kumar Sinha, J)

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