

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15643 of 2017

Arising Out of PS.Case No. -33 Year- 2012 Thana -KATORIA District- BANKA

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1. Balo Paswan @ Balo Hajara, Son of Late Sukhalal Paswan, Resident of Village-Padniyatri, Police Station Simultalla, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-04-2017 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Katoriya (Suiya) P.S. Case No. 33 of 2012 registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegedly, some un-known miscreants after showing fear of arms robbed the informant and others and took away cash of Rs. 5,000/- and mobiles. It is further submitted that due to dark, only four miscreants were seen and others were not seen. During investigation the name of the petitioner transpired in the confessional statement of co-accused and further it has come that mobile of this occurrence was given to this petitioner which is evident from the impugned order.



Submission is of false implication and that besides confessional statement there is no other material against the petitioner. The petitioner is in custody since 23.08.2012 in another case and has been remanded in this case on 09.02.2017 but has not been put on TIP. Nothing has been recovered from conscious possession of the petitioner and, as such, he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

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 Chief Judicial Magistrate, Banka in connection with Katoriya (Suiya) P.S. Case No. 33 of 2012 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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