

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18391 of 2017

Arising Out of PS.Case No. -253 Year- 2016 Thana -CHANDAUTI District- GAYA

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1. Chhotu Paswan, S/o Sanjay Paswan.
 2. Shankar Sao @ Shankar Kanu, S/o Suresh Sao, Both resident of Mohalla- Bambam Baba, Pahari Sanjay Nagar, Chhotaki Delha, P.S. Deha, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Sri Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Chandauti P.S. Case No. 253 of 2016 registered for the offence punishable under sections 395, 397, 412 and 420(B) of the Indian Penal Code.

Allegedly the petitioners are not named in the First Information Report. Their names transpired in the confessional statement of co-accused Kanhaiya Prasad. The petitioner Shankar Sao has also confessed his guilt.

Submission is of false implication and that nothing has been recovered from the possession of the petitioners. They have not been caught at the spot. No witness has identified the petitioners.



They have not been put on T.I.P. though they are in custody since 04.01.2017.

Co-accused Bablu Kumar Paswan, who was caught at the spot, has already been allowed bail vide Criminal Miscellaneous No. 51827 of 2016 and as such, the petitioners also deserve sympathetic consideration.

Learned APP fairly submits that Bablu Kumar Paswan who was caught at the spot, has already been allowed bail vide Criminal Miscellaneous No. 51827 of 2016.

In the facts and circumstances stated above, petitioners, above named, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Chandauti P.S. Case No. 253 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason, shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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