

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.504 of 2017

Arising Out of PS.Case No. -194 Year- 2016 Thana -MANIHARI District- KATIHAR

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1. Pawan Kumar Paswan, son of Sri Kailash Paswan, resident of Village - Chhoti Baghmara, P.S. - Manihari, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs Manisha Prakash

For the Informant : Mr. Suresh Prasad Sah

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-02-2017 Heard the parties.

This application has been filed in connection with Manihari P.S.Case No.194/2016 for the offence under Sections 147, 148, 341, 323, 379, 307, 354, 504 & 506 of the Indian Penal Code.

It is submitted on behalf of the petitioner that name of the petitioner has not been mentioned in the F.I.R. but later on his name has been inserted on the basis of statement of one witness, Soni Kumar in Paragraph No.23 of the case diary. There is omnibus allegation against the petitioner and he is in custody since 02.09.2016.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides and from perusal of the F.I.R., it



appears that the name of the petitioner is not mentioned in the F.I.R. but later on his name has been inserted on the basis of the statement of one eye witness and he is in custody for about five months and there is omnibus allegation against the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri S.K. Singh, learned Judicial Magistrate Ist Class, Katihar in connection with Manihari P.S.Case No.194 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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