

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40490 of 2017

Arising Out of PS.Case No. -15 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

=====

1. Pappu Paswan, Son of Shobhelal Paswan, Resident of Village- Bochahi,
P.S.- Muffasil, District- Munger at present Mohalla- Nathnagar, P.S.-
Nathagar District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Jitendra Kumar Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
11.01.2016 in connection with Nathnagar P.S. Case No. 15/16,
G.R. No. 120/16 for offences punishable under Section 414 of the
Indian Penal Code and Sections 25(1-b) a, 26, 35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on information that some of the accused in
connection with Nathnagar P.S. Case No. 07/2016 are coming on a
motorcycle, the police apprehended three persons and the
petitioner being pillion rider was found with one live cartridge and
a mobile. Accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and considering the nature of allegation and the period of custody a sympathetic consideration be given. He submits that he is languishing in judicial custody since more than 1½ years, charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and just because he is accused in two other cases, he has been made accused in the present case.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate 1st, Bhagalpur, in connection with Nathnagar P.S. Case No. 15/16, G.R. No. 120/16, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial



as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

