

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54381 of 2017

Arising Out of PS.Case No. -98 Year- 2014 Thana -KAKO District- JEHANABAD

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1. Ambika Paswan, Son of Ram Sevak Paswan,
2. Deepak Paswan @ Karan Paswan Son of Ambika Paswan, Both R/o
Village- Lakhawar, P.S.- Ghosi, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-11-2017 Heard the parties.

This application is for grant of regular bail in connection with Kako P.S.Case No.98 of 2014 for the offences punishable under Section 392 of the Indian Penal Code.

Petitioners are not named in the FIR. It appears that their name transpired during the course of investigation of the case.

Submission of the learned counsel for the petitioners is that they are father and son and they are named in the FIR on the basis of confession. They have been made accused in this case. They are in custody for about 1 ½ months and other co-accused have been granted bail by a Co-ordinate Bench of this Court, vide order dated 29.6.2015 passed in Cr. Misc. No.20510 of 2015.



Further submission is that the petitioner no.1 is accused in four other cases whereas petitioner no.2 is accused in one more case.

Heard learned A.P.P. also.

Having heard both sides. So far petitioner no.1 Ambik Paswan is concerned, I am not inclined to grant bail to the petitioner. However he may be released on bail after framing of charge or after remaining in custody for six months, whichever is earlier to the satisfaction of the learned trial court, on undertaking that he will co-operate in disposal of trial and failure to appear on two consecutive dates, without any genuine reason, his bail bonds shall be cancelled.

So far petitioner no.2 Deepak Paswan @ Karan Paswan is concerned, let the petitioner no.2, 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 R.K.Rajak, A.C.J.M., Jehanabad in connection with Kako P.S.Case No.98 of 2014.

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 bond.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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