

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58492 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -SAMHO District- BEGUSARAI

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1. Babuchan Paswan @ Babuchandra Paswan S/o Late Anup Paswan, R/o
Village- Narayanpur, P.S.- Samho, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-12-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sessions Trial No.460 of 2017 in connection with Samho P.S.Case no.01 of 2017 registered for offences punishable under Sections 448, 302, 504 and 34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner had been rejected vide order dated 26.7.2017 passed in Cr. Misc. No.26900 of 2017.

Submission of the learned counsel for the petitioner is that now the charge has been framed though there is allegation against the petitioner of assault by *lathi* and there is family dispute between the parties. Furthermore, the petitioner is aged about 60 years, which has been stated in affidavit and he is in custody 3.2.2017. The petitioner is ready to abide by any condition imposed upon him.



Heard learned A.P.P. also.

Having heard both sides and in view of considering the fact that the petitioner is aged about 60 years and he is in custody for about nine months, 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 learned Additional Sessions Judge I-cum-Special Judge POCSO Act and NDPS Act, Begusarai in connection with Sessions Trial No.460 of 2017 in connection with Samho P.S.Case No.01 of 2017.

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 allowed.

(Vinod Kumar Sinha, J)

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