

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24832 of 2017

Arising Out of PS.Case No. -171 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Shyam Sundar Paswan, son of Late Lalchand Paswan, resident of Village- Narha, Police Station- Rajepur, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anwar Karim

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 Heard the parties.

The petitioner seeks regular bail in connection with Rajepur P.S.Case No.171 of 2015 registered for offences punishable under Sections 397 and 395 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and later on his name transpired during the course of investigation of the case. The case is made out under Section 395 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is nothing against the petitioner except the confessional statement of the co-accused person. The petitioner is in custody for about six months. It is further submitted that though in para 73, it is alleged that the petitioner was arrested in some other cases but no T.I.P.



has been held. It appears that he had been identified by the police with the help of informant.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 C.J.M., Motihari in connection with Rajepur P.S.Case No.171 of 2015.

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.
- (iv) If in future, his active participation is found in any similar type of case, his bail bond shall automatically be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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