

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15621 of 2017

Arising Out of PS.Case No. -39 Year- 2015 Thana -BAKHTIYARPUR District- PATNA

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Laxman Paswan @ Pukiya S/o Dawarik Paswan Resident of Vill-
Sangatpar, P.S. Bakhtiyarpur, Distt- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Anita Kumari Singh, Advocate

For the Opposite Party/s : Mr. Smt Renu Kumari, Advocate

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2. **12-04-2017** Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
05.02.2016, in connection with Bakhtiyarpur P.S. Case No.
39/2015 registered for the offence punishable under Sections
395 of the Indian Penal Code.

The prosecution case is that the petitioner along
with other co-accused has committed dacoity in the
informant's medical shop and looted Rs. 5,000/- cash.

It has been submitted by learned counsel for the
petitioner that he is innocent not named in the First
Information Report. Petitioner has falsely been implicated in
this case. He has submitted that only on the basis of
confessional statement of one Subhash Yadav, petitioner has
been named in this case. It has also submitted that no Test
Identification Parade has been done so far, and the co-accused



Subhash Yadav has been already granted privilege of bail vide order dated 21.09.2015, passed in Cr. Misc. No. 23040/2015, and also other co-accused has been granted privilege of bail vide order dated 17.12.2015, passed in Cr. Misc. No. 56951/2015. It is submitted that just because the petitioner has some cases pending against him for which he has been made accused and remanded in the present case.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Barh, in connection with Sessions Trial No. 737 of 2016, arising out of Bakhtiarapur P.S. Case No. 39 of 2015, subject to the condition that one of the bailors must be a close relative of the petitioner and the other bailor must have sufficient immovable property within the jurisdiction of the concerned police station.

(Nilu Agrawal, J.)

Rajeev/-

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