

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18923 of 2017

Arising Out of PS.Case No. -332 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. LOHA PASWAN @ LOHA RAM, Son of Late Sukeswar Paswan,
resident of Village Pipra, P.S. Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with S.Tr.
No.407 of 2016 arising out of Sasaram (Town) P.S.Case No.332
of 2016 registered for offences punishable under Sections 395 &
397 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.

It is submitted on behalf of the petitioner that he is not named
in the F.I.R. though in a large number of paragraphs it is
mentioned that there was confidential information that looted SIM
was being used by this petitioner, however, nothing has been
recovered from the possession of the petitioner and he is in
custody for about six months. So far criminal antecedent is
concerned, the petitioner is on bail in all those cases.

Heard learned A.P.P. also, who has opposed the prayer for



bail stating that the petitioner is accused in three other cases also.

Having heard both sides and in view of the fact that except the confessional statement that the one SIM is being used by the petitioner, there is nothing against the petitioner and he is accused in three other cases also but he is on bail in all those cases, as such, 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 Additional Sessions Judge-VIII, Rohtas (Sasaram) in connection with S.Tr. No.407 of 2016 arising out of Sasaram (Town) P.S.Case No.332 of 2016 dated 08.03.2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be close relative of the petitioner 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) In future, if any active participation has been found in future of the petitioner, his bail bond shall be liable to be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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