

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11459 of 2017

Arising Out of PS.Case No. -259 Year- 2016 Thana -TEKARI District- GAYA

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Suresh Paswan son of Late Babu Lal Paswan resident of Barki Delha, Raja Kothi, Police Station - Delha, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-04-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks bail in Tekari P.S. Case No. 259 of 2016 instituted for the offence under Section(s) 392 of the Indian Penal Code.

It has been submitted that petitioner has no criminal antecedent. The name of the petitioner has come during investigation on the confessional statement of co-accused Ranjeet Singh.

As per written report, three unknown persons snatched the bag of the informant which contained Rs. 1,89,045/- collected by him from different groups.

Learned Sessions Judge has mentioned in the



impugned order that name of this petitioner has come for the first time on the basis of statement of the spy. Thereafter one of the co-accused Ranjeet Paswan has named the petitioner as appear from para 57 of the case diary. The police has recorded the statement of the petitioner in para 68 of the case diary.

In this manner, there is no recovery of any incriminating article from the conscious possession of the petitioner. The petitioner is not named in the written report and he is in custody since 12.11.2016.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Gaya in connection with Tekari P.S. Case No. 259 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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