

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26280 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -NABINAGAR District- AURANGABAD

1. Sonu Kumar Paswan, son of Vira Paswan, Resident of Village- Patthra ,
P.S.- Husainabad , District- Palamu, (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is languishing in jail since
18.04.2016 in a case registered for offences punishable under
Sections 394 and 302 of the Indian Penal Code and Section 27
Arms Act.

The prosecution case as lodged by the informant is
that while his brother was coming with jewelry shop, he was
intercepted by some miscreants who snatched jewelry worth Rs.
One lac and killed him.

Learned counsel for the petitioner submits that
he is innocent and not named in the F.I.R. and just because he has
a criminal antecedent, he has been roped in the present case. It is
further submitted that charge sheet has already been submitted,
hence, there is no chance of tampering with the prosecution
evidence and considering the period of custody a sympathetic
consideration be given.

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However, learned A.P.P. for the State submits that the petitioner is a habitual offender and accused in similar type of cases lodged against him earlier, hence opposes the prayer for bail.

Considering the facts and circumstances, let the petitioner, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Aurangabad in connection with Sessions Trial No. 190/2017 (arising out of Navinagar P.S. Case No. 53 of 2016) , subject to the following conditions:-

- (i) The petitioner will not indulge himself in similar or any other offence.
- (ii) One of the bailors must be the close relative of the petitioner.
- (iii) The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Nilu Agrawal, J)

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