

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19267 of 2017

Arising Out of PS.Case No. -647 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Banti Paswan Son of Mahendra Paswan resident of mohalla - Rikabganj,
P.S. - Tatarpur, District - Bhagalpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 17-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Kotwali/Adampur P.S. Case No. 647 of 2016 registered for the
offences punishable under Sections 399 and 402 of the Indian
Penal Code.

Allegedly, the petitioner and other co-accused were
apprehended when they have assembled to commit loot.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner, he has
been made victim of circumstances, without any fault the
petitioner is in custody since 24.11.2016. Only mobile and cash
have been recovered from possession of the petitioner which are
not related to any crime and as such the petitioner deserves



sympathetic consideration.

Learned APP submits that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali/Adampur P.S. Case No. 647 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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