

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18737 of 2017**

Arising Out of PS.Case No. -24 Year- 2016 Thana -MEHANDIA District- JEHANABAD

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Kamlesh Paswan Son of Late Kishori Paswan, Resident of Village-Gangati,  
Police Station-Belaganj, District-Gaya .... Petitioner

Versus

The State of Bihar .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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

**ORAL ORDER**

2      16-05-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Mehandia  
P.S. Case No. 24 of 2016 registered for the offence punishable  
under Section 397 of the Indian Penal Code.

The truck was stolen away by unknown thief. During  
investigation the petitioner and other co-accused confessed their  
guilt and accordingly, they have been remanded in this case,  
resulting, the petitioner is suffering in custody since 19.11.2016.

Submission is of false implication and that besides  
confessional statement there is no other material against the  
petitioner which is evident from the impugned order itself. The  
petitioner has criminal antecedent as he is involved in ten other  
cases but in all cases he has been falsely implicated by the Police,  
nothing has been recovered from possession of the petitioner and



as such the petitioner deserves sympathetic consideration.

Learned APP does not controvert the aforesaid submission.

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, Arwal in connection with Mehandia P.S. Case No. 24 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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