

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38210 of 2017

Arising Out of PS.Case No. -9 Year- 2013 Thana -JOGBANI District- ARRARIA

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1. Sanoj Paswan Son of Sri Prabhu Paswan, R/o Village- Ramsala, P.S.-
Darbhanga Sadar, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.
Mr. Rohit Kumar, Adv.
Mrs. Nitu Kumari No. 7, Adv.

For the Opposite Party/s : Mr. Smt. Sahin Begam, APP-134

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.02.2017 in connection with Jogbani P.S. Case No. 09 of 2013
corresponding to G.R. No. 240 of 2013 for offences punishable
under Sections 396 and 412 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that 10-15 miscreants entered in a compound, armed with three
nut, three sixer, axe, danda and bomb and broke open the almirah
and took away the ornaments worth Rs. 1,50,000/- including cash
and also committed dacoity in the biscuit factory and broke the
glass of four wheeler. One of the accused Ashish Kumar Paswan



was apprehended and named the petitioner and others to be his accomplice.

It has been submitted by the learned counsel for the petitioner that he is innocent, and it is only on the basis of confessional statement of Ashish Kumar Paswan, who is his own brother, that his name surfaced. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He submits that one of the co-accused on similar allegation has been granted privilege of bail by this Court in Criminal Miscellaneous No. 44159 of 2017 today itself.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a veteran criminal and as many as five cases are pending against him some for similar offence.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Araria, in connection with Jogbani P.S. Case No. 09 of 2013 subject to the condition both the bailors would be a close relative of the petitioner having sufficient



immovable property, who will file an affidavit stating his relationship with the petitioner and the details of the property and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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