

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49459 of 2017

Arising Out of PS.Case No. -173 Year- 2017 Thana -CHARPOKHARI District- BHOJPUR

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Santosh Paswan	...		Petitioner
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Versus

The State of Bihar			Opposite Party
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Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party : Mr. Anuj Kumar Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-10-2017 Counsel for the petitioner and the State are present.

Petitioner is an accused in a case registered for offence under sections 341, 323, 324, 336, 506/34 IPC. FIR alleges that three to four persons stopped the informant and his pillion while they were carrying some cash. They resorted to assault and on a gun point they took away about Rs.50, 000/- including 15 Samsung mobile phones, ATM cards and other documents.

Counsel for the petitioner submits that initially a case was registered under sections 392, 395 and 42 IPC against unknown persons and in course of investigation police raided the house of co-accused Baja and Rahul and made recovery. They implicated the petitioner in their confession, though nothing was recovered from petitioner's house to connect him with the alleged occurrence. Till date he has not been put on TI parade. In paragraph 3 of the bail petition, the petitioner has stated that he is



accused in one other case in which he is already on bail.

In the facts of the case, the bail application is allowed. Let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IV, Bhojpur (Ara) in Charpokhari Police Station Case No. 173 of 2017 on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(c) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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