

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21011 of 2018

Arising Out of PS.Case No. -280 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

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Shyam Sundar Paswan @ Shyam Sundan Paswan Son of Ram Saran Paswan, resident of village Khokhsaha, P.S. Dalsingsarai, District Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sujit Kumar Singh

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 04.09.2017 in connection with Sessions Trial No. 811 of 2017 arising out of Dalsingsarai P.S. Case No. 280 of 2017 for the offences alleged under Sections 452, 323, 307 of the Indian Penal Code and 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and the injury report which shows the nature of injuries as simple, does not corroborate the accusation in the F.I.R. The allegations against the petitioner are improbable considering that he was arrested on the next day from the village itself. It is submitted that charge sheet has already been submitted after completion of police investigation and hence there is no chance of tampering with the witnesses. The petitioner claims clean



antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge 6th, Samastipur, in connection with Sessions Trial No. 811 of 2017 arising out of Dalsingsarai P.S. Case No. 280 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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