

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41877 of 2018

Arising Out of PS.Case No. -128 Year- 2016 Thana -SIKANDARA District- JAMUI

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1. Balo Paswan @ Balram Paswan S/o Lalan Paswan, resident of Village-Gokhula, P.S. Sikandra, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Prakash, Advocate.

For the Opposite Party/s : Md. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 31-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Sikandra P.S. Case No. 128 of 2016 instituted for the offence under Sections 506, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioner submits that petitioner is in custody since 1.9.2017.

Report regarding stage of trial was called for from the court below which has been received. From the report it appears that charge has been framed against the petitioner on 27.09.2018. Thereafter, not a single witness has been examined in the case.

In the written report it is alleged that petitioner caused firearm injury to the informant. Another shot was also made by Sakindar Paswan which did not hit the informant. Thereafter, both accused persons fled away. The informant has sustained injury in front



of his chest.

Case diary has been received.

The injury report of the informant is available in the case diary wherein the Doctor has found the injuries to be grievous in nature.

Keeping in view the period spent by the petitioner in custody and not a single witness has been examined in the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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, Jamui, in connection with Sikandra P.S. Case No. 128 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner will cooperate in conclusion of the trial. He will remain present on each and every date of trial till disposal of the case. He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. In the event of default of two consecutive dates without valid reason, his bail bonds will liable to be cancelled.

(Sanjay Priya, J)

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