

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57311 of 2017

Arising Out of PS. Case No.-322 Year-2016 Thana- BARACHATTI District- Gaya

Deepak Paswan, Son of Bhuley Paswan, resident of Village- Jaraee, P.S. Arer,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh

For the Opposite Party/s : Mr. SRI KUMAR VIRENDRA NARAYAN

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

ORAL ORDER

4 24-01-2018 Heard learned counsel for the petitioner and
learned counsel representing the State.

The petitioner wants to renew the prayer of bail, which was earlier rejected vide order dated 03.07.2017 passed in Cr. Misc. 23406 of 2017, on the ground that the petitioner is in custody since 20.08.2016, nothing has been recovered from his conscious possession. The driver of Wagon R namely, Jatish Saha has been allowed bail vide Cr. Misc. No. 22168 of 2017 and other co-accused have also been allowed bail and, as such, the petitioner deserves sympathetic consideration, as he has got no criminal antecedent.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above,



considering that Jatish Saha, the driver of Wagon R has already been allowed bail by another co-ordinate Bench of this Court and, as such, the petitioner is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional District and Sessions Judge- VIII, Gaya, in connection with Barachatti P.S. Case No. 322 of 2016 (G.R. No. 1367 of 2016), N.D.P.S. Case No. 01 of 2017, 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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