

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23453 of 2018

Arising Out of PS.Case No. -10 Year- 2017 Thana -PARAIYA District- GAYA

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Vikash Paswan @ Vikash Kumar S/o Sri Ram Paswan, R/o Vill.- Bisho,
P.S.- Paraiya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner, who is in custody since 04.02.2017, has renewed his prayer for bail in connection with Sessions Trial No. 33 of 2017/289 of 2017 arising out of Paraiya P.S. Case No. 10 of 2017 for the offences alleged under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act, having earlier been rejected by this Court by order dated 10.08.2017 in Criminal Miscellaneous No. 30465 of 2017.

3. It is submitted that in a subsequent development similarly situated co-accused Bijali Paswan @ Bijuli Paswan who is also said to be one of the four persons against whom accusation of firing has been alleged has been granted bail by this Court in Cr. Misc. No. 58071 of 2017. It is further stated that charges have now been framed on 24.08.2017 and till date no witness has been examined.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and considering the period of custody already suffered since 04.02.2017, 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 2nd Additional Sessions Judge, Gaya in connection with Sessions Trial No. 33 of 2017/289 of 2017 arising out of Paraiya P.S. Case No. 10 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)

Chandran/BT

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