

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1378 of 2018

Arising Out of PS.Case No. -153 Year- 2011 Thana -RUNISAIDPUR District- SITAMARHI

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1. Suhag Paswan @ Asish Jee, Son of Ram Vilash Paswan, Resident of Village- Ramnagar, P.S.- Siwai Patti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 02.02.2015 in connection with Sessions Trial No. 256 of 2014, arising out of Runnisaidpur P.S. Case No. 153 of 2011 for offences punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case has been lodged against unknown by the informant as his son was found dead. The petitioner has been implicated after 21 months of the alleged occurrence.

It has been submitted by the learned counsel for the petitioner that he is innocent and just because he has a criminal



antecedent, he has been roped in. He submits that he is ready to cooperate in the trial on day-to-day basis and some of the co-accused have been granted privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 18379 of 2017 on 20.06.2017, Cr. Misc. No. 34968 of 2017 on 04.08.2017 and Cr. Misc. No. 19990 of 2016 on 15.07.2016.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has 13 cases earlier and is an active member of the MCC.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Addl. District Judge-1st, Sitamarhi, in connection with Sessions Trial No. 256 of 2014, arising out of Runnisaidpur P.S. Case No. 153 of 2011, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below



during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

- (3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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