

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26591 of 2018

Arising Out of PS.Case No. -457 Year- 2017 Thana -SONEPUR District- SARAN

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Haresh Kumar Paswan @ Indal Paswan @ Haresh Paswan S/o Ram Dayal
Bhagat, R/o Kasturichak, P.S.- Nayagaon, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 09-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is in custody since 12.12.2017 in connection with Sonapur P.S. Case No. 475 of 2017 for the offences punishable under Section 392 of the Indian Penal Code.

It is submitted that the petitioner has been falsely implicated as the FIR is against unknown persons and he is not named therein. No test identification parade has been conducted for identification of the petitioner nor any incriminating articles have been recovered from his conscious possession. The petitioner has been implicated merely on the extra-judicial confessional statement of co-accused Budhan Kumar and except such statement, there is no other material to connect the petitioner with



the alleged occurrence. It is further submitted that charge sheet has been submitted and there is no chance of tampering with the evidence.

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/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Chapra, District Saran in connection with Sonapur P.S. Case No. 457 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) 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.

(Mohit Kumar Shah, J)

BTiwary/-Md Rashid

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