

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44353 of 2017

Arising Out of PS.Case No. -131 Year- 2014 Thana -KHAJAU LI District- MADHUBANI

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Dev Kumar Paswan @ Debua S/o Prabhu Paswan, R/o Village-Ramsalla,
P.S.-Sadar, District-Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 04-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with
Khajauli P.S. Case No. 131 of 2014 dated 22.12.2014 instituted
for the offence under Sections 396, 397 of the Indian Penal Code.

The petitioner is not named in the F.I.R and his
name has transpired only on the confession of the co-accused viz.
Nayeem Nadaff who was arrested during the course of
investigation and whose statement has been recorded in para 44 of
the case diary. From the impugned order also, it appears that apart
from the aforesaid materials, there is no other evidence against the
petitioner for justifying his incarnation in this case. Nothing has
been recovered from his possession and he has also not been put
on Test Identification Parade. On the aforesaid grounds, two other



accused persons viz. Meghnath Paswan and Mukesh Paswan have been granted bail by different Benches of this Court.

With respect to the criminal antecedent of the petitioner, it has been submitted by Mr. Ratanakar Jha, learned counsel for the petitioner that only because his antecedents, the petitioner has been roped-in in the present case. The petitioner is in custody since 17.02.2017.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in connection with Khajauli P.S. Case No. 131 of 2014 (G.R. No. 3517 of 2014).

(Ashutosh Kumar, J)

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