

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62452 of 2018

Arising Out of PS. Case No.-6 Year-2017 Thana- HARSIDHI District- East Champaran

Kanhaiya Paswan Son of Nagendra Paswan Resident of Village- Govindapur,
Police Station- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon
For the Opposite Party/s : Mr. Sri Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 12-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Harsidhi P.S. Case No. 06 of 2017 registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant alleged that when he was returning on his tractor petitioner along with other co-accused surrounded him and snatched his tractor and fled away and co-accused Sunil Thakur fired upon him which was misfired.

It has been submitted on behalf of the petitioner that he is innocent. He has been falsely implicated in this case due to highhandedness of police. Petitioner has not named in FIR and nothing has been recovered from his possession. No Test Identification Parade has been made. He is in custody since 09.03.2018.



Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri S.M. Tripathi, learned Judicial Magistrate 1st Class, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 06 of 2017 subject to conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case case diary, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/Manoj-

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