

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13181 of 2019

Arising Out of PS. Case No.-8 Year-2018 Thana- ROSHANGANJ District- Gaya

SHARWAN PASWAN S/o Lakhan Paswan R/o Village- Pachmah, P.S.-
Bankey Bazar, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Roshanganj P.S. Case No. 08 of 2018 registered for the offence punishable under Sections 147, 148, 149, 341, 323 and 379 of the Indian Penal Code and Section 17 of C.L.A Act.

Allegation against the petitioner is of assaulting the labourers of brick-kiln and snatching six mobile phones of six labourers, though he is not named in the FIR. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that neither the petitioner was apprehended at the spot nor any incriminating material has been recovered from his possession. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Rajendra Mahto @ Sanjay Jee, who has been granted bail by this Court in Cr. Misc. No. 74278 of 2018 vide order dated 14.12.2018. Petitioner is in custody since 25.7.2018.

Considering the aforesaid facts and circumstances of



the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati at Gaya in connection with Raushanganj P.S. Case No. 08 of 2018 with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

