

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78902 of 2018

Arising Out of PS. Case No.-61 Year-2015 Thana- RAMKRISHNANAGAR District- Patna

Raghunath Paswan S/o Kusheshwar Paswan R/vill-Jawal, P.S-Mahnar, Distt.-
Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Naresh Ray, Adv.

For the Opposite Party/s : Mr.Sri Shyam Bihari Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 16-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Ram Krishna Nagar P.S. Case No. 61 of 2015
registered for the offences punishable under Sections 363, 365
of the Indian Penal Code.

Informant has alleged that his younger brother
Laxmi Kumar, aged about 13 years had gone outside from
house at 6 A.M. on 28.03.2015 but since thereafter he went
missing and even after search nothing could be known about
his whereabouts. The name of petitioner has surfaced in this
case at the subsequent stage of investigation where witnesses
have alleged that petitioner is also involved in this crime.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case and after the alleged date of



occurrence on the statement of some witnesses which has no credibility. Chargesheet has already been submitted against him. He has no criminal antecedent and is in custody since 25.07.2017.

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 learned Judicial Magistrate 1st Class, Patna, in connection with Ram Krishna Nagar P.S. Case No. 61 of 2015 corresponding to G.R. No. 1944 of 2015, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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