

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55587 of 2019**

Arising Out of PS. Case No.-524 Year-2016 Thana- SAHARSA District-
Saharsa

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PARAS SAH @ PARAS KUMAR SAH Son of Bishwanath Sah Resident of
Village - Madhepura, P.S. - Madhepura, District - Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate.

For the Opposite Party: Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 27-11-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 30.03.2019 in
connection with Saharsa Sadar P.S. Case No. 524 of 2016 for the
offences alleged under Sections 302, 34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely
implicated in connection with death of the informant's brother
Rakesh Kumar Singh. The petitioner is not named in the F.I.R.
and specific accusation has been made against co-accused
Shankar Sah who is said to have owed money to the deceased and
the occurrence has transpired owing to demand being made by
the deceased. The petitioner has been implicated on the extra
judicial confessional statement of co-accused Ashutosh Kumar,
except which there is no objective material to connect the
petitioner with the alleged occurrence. The said co-accused
Ashutosh Kumar has been granted bail by this Court in Cr. Misc.
No. 39786 of 2016. The petitioner is accused in one other case



lodged after the present F.I.R.

4. Learned APP appears and has been heard but has not pointed out any specific material from the case diary against the petitioner.

5. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No. 524 of 2016, 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) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That 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.

(Vikash Jain, J)

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