

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67665 of 2018

Arising Out of PS. Case No.-105 Year-2017 Thana- SONPUR RAIL P.S. District- Saran

Umesh @ Ramesh Paswan Son of Shil Paswan @ Kalicharan Paswan,
Resident of Village- Paharpur, P.S. Sahdev O.P., District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Brij Kishor Mishra, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 379 of the Indian Penal Code registered in connection with Sonpur (Hajipur) Rail P.S. Case No. 105 of 2017.

3. It is submitted that the petitioner has been falsely implicated as he is not named in the first information report. The name of the petitioner transpired from the extrajudicial confession of the co-accused Rajeev Sahni, who named the petitioner as well as co-accused Dashrath Sahni. The said Dashrath Sahni has been granted anticipatory bail by this Court on 27.04.2018 vide Cr. Misc. No. 19071 of 2018.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner 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 Additional Chief Judicial Magistrate, Rail, Sonpur in connection with



Sonpur (Hajipur) Rail P.S. Case No. 105 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further 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 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.

(iv) 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.

(Vikash Jain, J)

BT/Chandran

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

