

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70578 of 2019

Arising Out of PS. Case No.-12 Year-2009 Thana- AMBA District- Aurangabad

Satendra Paswan @ Satendra Paswasn Son of Late Mohan Paswan Resident
of Village - Nimidihi, P.S.- Dhibra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 21-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor on behalf of the State.

The petitioner is in custody in connection with Sessions Trial No. 195/19/15/19 arising out of Amba P.S. Case No. 12 of 2009 for the offenses under Sections 147, 148, 149, 427/121(A) of the Indian Penal Code and 17 CLA Act and Sections 3, 4 Explosive Substance Act and in remand in the present case since 14.06.2018.

Learned counsel for the petitioner submits that the name of the petitioner is stated in the FIR, but nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner's name has been brought into the present case for no apparent reason as none of the villagers have disclosed the involvement of the present petitioner.



Learned counsel for the petitioner further submits that though the petitioner has several antecedents, in most of the cases he has been taken into custody only on suspicion and in view of the provisions and allegation under Section 17 CLA Act, the petitioner has been languishing in jail custody since 10.09.2017. He further submits that till date the petitioner has not been placed on TI Parade and there is no cogent material save and except the confidential information on which basis the petitioner has been taken into custody.

Having considered the nature of allegations against the petitioner and that the petitioner has not yet been placed for TI Parade and has been languishing in jail for more than two years, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IV, Aurangabad, in connection with Sessions Trial No. 195/19/15/19 arising out of Amba P.S. Case No. 12 of 2009, subject to the following conditions:

1. One of the bailors shall be blood relative of the petitioner.
2. The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



3. The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

4. 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.

(Anjana Mishra, J)

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