

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 7522 of 2012

...
Sunil Kumar Paswan Petitioner
-V e r s u s -
The State of Jharkhand Opposite Party.

CORAM: - HON'BLE MR. JUSTICE PRASHANT KUMAR.

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For the Petitioner : - Mr. A.K. Chaturvedi, Advocate.
For the State : - Mr. S. Mahto, A.P.P.
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05/21.12.2012 Bail application filed by Sunil Kumar Paswan, is moved by Sri A.K. Chaturvedi, learned counsel for the petitioner and opposed by Sri S. Mahto, learned A.P.P.

Earlier the bail prayer of petitioner rejected taking into account that on his instance the axe, used in the commission of crime, has been recovered. It is submitted that as per paragraph no. 30 of the case diary, it is clear that the said axe recovered in presence of informant Binay Paswan and another witness Arjun Paswan. It is further submitted that the said Binay Paswan has been examined as P.W.-1, but he has not stated anything regarding the recovery of axe at the instance of petitioner. It is then submitted that Arjun Paswan has not been shown as a charge sheet witness nor his statement recorded in the case diary.

Learned Additional P.P., after going through the case dairy, has not disputed the aforesaid submission.

Considering the aforesaid facts and circumstances and also taking into account that petitioner is in custody from 08.09.2011, I allow this bail application and direct the court below to enlarge the petitioner, above named, on bail on his furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Palamau, in connection with Tarhasi P.S. Case No. 46 of 2011 corresponding to G.R. No. 1512 of 2011 (S.T. No. 292 of 2012).

(Prashant Kumar, J.)

Sunil/