

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19597 of 2015

Arising Out of PS.Case No. -68 Year- 2013 Thana -SAHEBGANJ District- MUZAFFARPUR

Rajeev Ranjan, son of Awadhesh Rai, resident of village - Muraul, Police Station - Sakara, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 02-12-2015

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Sahebganj P.S. Case No.68
of 2013 dated 08.04.2013 instituted under Sections
147/148/149/341/342/387/435/506 of the Indian Penal Code and 17
of the C.L.A. Act.

This is the second attempt by the petitioner to seek bail
in the said case as earlier such prayer was rejected by order dated
12.11.2014 in Cr. Misc. No.36704 of 2014.

Learned counsel for the petitioner submits that on the
previous occasion the Court had rejected the prayer for bail of the
petitioner on the ground that from the case diary, it transpired that



three witnesses had stated that the petitioner was one of the persons who had participated in the crime and also that the petitioner carried criminal antecedent. It is submitted that the said three witnesses had purportedly given statement to the police which has been recorded in paragraphs 9, 10 and 11 of the supplementary case diary to this effect. Learned counsel draws the attention of the court to Annexure-4 series which are copies of the deposition recorded before the court by the said three so-called witnesses in which they have not taken the name of the petitioner and have further stated that the police had not taken their statement earlier.

Learned A.P.P. submits that the stand of the petitioner requires to be verified from the police papers.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (West), Muzaffarpur in connection with Sahebganj P.S. Case No.68 of 2013, subject to the court verifying from the police papers that the three witnesses who have stated during the course of investigation implicating the petitioner were Mukesh Rai, Brij Kishore Pandey and Dineshwar Prasad Kushwaha @ Dinesh Bhagat being P.Ws.1, 2 and 3 respectively. Further the petitioner and

the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

The application stands disposed off.

(Ahsanuddin Amanullah, J)

N.H./-

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