

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46843 of 2014

Arising Out of PS.Case No. -12 Year- 2013 Thana -SARAN GRP CASE District- SARAN

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1. DHARMENDRA RAI @ DHARMENDRA KUMAR RAI SON OF
RAM NATH RAI RESIDENT OF VILLAGE - MINAPUR, P.S.
GARKHA, DISTRICT - SARAN AT CHAPRA (BIHAR)

.... Petitioner/s

Versus

1. THE STATE OF BIHAR

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Shakir Ahmad (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 27-04-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 395 and 397 of the
Indian Penal Code.

The accusation is of robbing the informant during train
dacoity leading to registration of FIR against unknown. Name of
the petitioner sprang up in the second confessional statement of
Ajay Rai and subsequently in the confessional statement of Firoz.

It is submitted by the learned counsel for the petitioner
that in earlier confessional statement Ajay Rai did not name the
petitioner and there is no recovery from the petitioner. It is further
submitted that co accused Kumar Avinash Singh Khushik alias

Shailesh Singh alias Kumar Avinash Singh Kaushik has been granted anticipatory bail vide Cr. Misc. No. 22857 of 2014.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Sonapur in connection with Chapra Rail P.S. Case No. 12 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will regularly cooperate in the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non cooperation in investigation by the petitioner will give liberty to prosecution to file application for cancellation of bail bond by learned court below.

(Dinesh Kumar Singh, J)

Anil/-

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