

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42704 of 2016

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Surendra Rajwar, Son of Late Muneshwar @ Awadhesh Rajwar
Resident of Village - Dindir Tole, Bishumpura P.S. Haspura,
District: Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate.

: Mr. Binod Kumar Pandey, Advocate.

For the Opposite Party/s: Mr. Shailendra Kumar, APP.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 05.10.2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 121, 121(A) and 120(B) of the Indian Penal Code and Sections 25(1-B) A, 26 and 35 of the Arms Act and Section 17 of C.L.A. Act.

It is contended on behalf of the petitioner that he was not apprehended from the spot. He has been implicated on the basis of the statement of Kariman Yadav who was apprehended from the place which is said to be the part of his house. It is contended that except the statement of the aforesaid Kariman Yadav there is nothing against the petitioner who has clean antecedents. The petitioner claims to be in custody since 30.06.2016. It is further contended that similarly situated several

co-accused persons have already been granted bail by Co-ordinate Benches of this Court vide Cr. Misc. No. 5004 of 2015 dated 31.07.2015, Cr. Misc. No. 51288 of 2014 dated 03.03.2015 and Cr. Misc. No. 48953 of 2014 dated 20.02.2015. Copies of the same have been produced at the time of hearing. Let it be kept on record.

Having regard to the facts and circumstances of the case, the petitioner, namely, Surendra Rajwar is directed to be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sub-divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 38 of 2014.

However, at the time of accepting bail bond, the court below will verify and ensure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he will remain in custody.

(Dr. Ravi Ranjan, J.)

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