

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27848 of 2016

Arising Out of PS.Case No. -318 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Amit Rajak Son of Sri Munilal Rajak, resident of Muhalla- Urdu Bazar,
P.S- Tatarpur, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 20-10-2016 Heard learned counsel for the petitioner as well as
learned Additional P.P. for the State.

The name of the petitioner surfaced in this case on the basis of C.C T.V. footage and thereafter the house of the petitioner was raided and it is alleged that Rs.69,000/- was recovered from the house of the petitioner which is evident from perusal of para-175 of the case diary but submission on behalf of the petitioner is that there is nothing on the entire case diary to show that seized notes belong to looted bank and as a matter of fact police seized the amount of the petitioner and only on the basis of his criminal antecedent petitioner has been implicated in this case. It is also pointed out that petitioner is languishing in jail

custody for more than one year and having more or less similar allegation several co-accused have already been granted privilege of bail by a coordinate Bench of this Court.

The learned trial Court has reported that out of fourteen prosecution witnesses nine prosecution witnesses have already been examined and the aforesaid report goes to show that the case is still pending for recording the evidence of remaining five prosecution witnesses and, therefore, it appears that there is no likelihood of conclusion of trial of the petitioner in near future.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ADJ-2nd, Bhagalpur in connection with Sessions Trial No.595 of 2015 + 153 of 2016 arising out of Kotwali (Adampur) P.S.Case No.318 of 2015.

(Hemant Kumar Srivastava, J)

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