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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15888 of 2016

Arising Out of PS.Case No. -172 Year- 2013 Thana -MOTIHARI MUFASIL District-EASTCHAMPARAN(MOTIHARI)

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Rajesh Rai @ Rajesh Yadav @ Ajit Kumar, Son of Rambabu Rai, Resident of Village-Fajilpur, P.S.-Rajepur, District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party : Mr. Awadhesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 23-06-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Muffasil PS case no. 172/2013 registered for the offences punishable under Sections 394, 307, 411 of I.P.C.

Allegedly three unknown miscreants after administering some intoxicant, assaulted the informant, got down the informant and took away his Magic vehicle with camera, mobile and cash of Rs. 20,000/-. During investigation, the said vehicle was recovered but the miscreants fled away, the name of the petitioner transpired

in his confessional statement made in Madhuban PS case no. 104/2013 and accordingly he has been remanded in this case, as a result, he is suffering in custody since 20.09.2013. There is no legal and tangible material against the petitioner besides confessional statement.

Learned A.P.P. fairly submits that no T.I.P. has been conducted and nothing has been recovered from conscious possession of the petitioner.

In the facts and circumstances stated above, the abovenamed petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Sessions Judge, Motihari, East Champaran arising out of Muffasil PS case no. 172/2013 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two

consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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