

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29922 of 2016

Arising Out of PS.Case No. -1 Year- 2013 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 28.07.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 307
and other minor sections of the Indian Penal Code and 27 of the Arms
Act.

Petitioner is not named in the first information report and it
is contended on behalf of the petitioner that he has been implicated in
this case on 17.7.2013 on the basis of confessional statement and
except the confessional statement, there is nothing against the
petitioner.

No doubt, petitioner does have criminal antecedent of 13
cases but in the present case, he is in jail custody for near about two
years and the impugned order goes to show that up till now, not a
single prosecution witness could be examined.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran at Motihari in Rajepur P.S. Case no. 01/2013 subject to condition that if the petitioner makes any attempt to tamper with the prosecution evidence or terrorize the prosecution witnesses, trial court shall be at liberty to cancel the bail bond of the petitioner after due and proper enquiry.

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(Hemant Kumar Srivastava,J)

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