

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53075 of 2016

Arising Out of PS.Case No. -747 Year- 2015 Thana -SAHARSA District- SAHARSA

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Rajdeep Choudhary @ Rajdeep Kumar Choudhary, Son of Late Badri Choudhary, resident of Mohalla- Hatiya Gachhi, Patel Nagar, Ward No. 31, P.S. & District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 03.08.2016 in connection with Saharsa Sadar P.S. Case No. 747/15 registered for the offences punishable under Sections 461, 379 of the Indian Penal Code.

The prosecution case is that some unknown thieves committed theft of about Rs. 4 lakhs cash by breaking the roof of the shop of the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and nothing incriminating has been



recovered from his possession even on his confessional statement before the police. It is submitted that no Test Identification Parade has been done so far and that simply because petitioner is accused in two more cases of similar nature he has been remanded to judicial custody in the present case.

However, learned A.P.P. for the State submits that the petitioner does not have clean antecedent and is involved in more cases of similar nature, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submission of the parties and from the materials available it does not reveal that petitioner's liberty on bail would adversely affect his trial, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 747/15.

This direction of bail is further subject to the condition that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person



acquainted with the facts of the case to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear before the learned Court below as and when directed.

With these observations and directions, the application stands allowed.

(Nilu Agrawal, J.)

Rajesh/-

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