

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.982 of 2017

Arising Out of PS.Case No. -76 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

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Chuta Ravidas @ Brij Mohan Ram, Son of Sakhichand Ram, Resident of
Village- Maula Nagar, P.S.- Feshar, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate

For the Opposite Party : Smt. Pushpa Sinha (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Rafiganj
P.S Case No. 76 of 2015 registered for the offence punishable
under Section 302/34 of the Indian Penal Code, Section 27 of
Arms Act and Section 17 C.L.A. Act.

The petitioner is named in the First Information
Report along with others that they were seen near village Akuni
and they have brought a person after catching and killed him as he
was the member of T.P.C. The petitioner is alleged to be an active
member of M.C.C. During investigation also the witness
Janeshwar Yadav, para 29 of the case diary, has stated that
petitioner and others were seen being armed before the date of



occurrence.

Submission is of false implication and that due to dirty village politics he has been named in this case, no over act has been alleged against the petitioner, no incriminating articles has been recovered from the possession of the petitioner. In the case diary, it has not come that the petitioner has participated to commit this crime. There is general and omnibus allegation. The petitioner is in custody since 22.10.2016, the petitioner has been made victim of police atrocity, resulting, he has been involved in four more cases, without any legal and cogent material the petitioner is suffering in custody.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj P.S. Case No. 76 of 2015, subject to the conditions that one of the bailors must be a 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.)

Rajiv/-

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