

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17597 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

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Jai Prakash Noniya, S/o Late Chandradev Nonia, Resident of Village-
Fateha, P.S.- Feshar, District- Aurangabad.

.... Petitioner

Versus

1. The State of Bihar
2. Rituraj, son of Late Tapeswar Prasad Chaudhary, resident of New Area, P.S. Rafiganj, District Aurangabad, at present posted as Branch Manager, Madhya Bihar Gramin Bank, Vadawah

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Informant : Mr. Suresh Pd. Singh No.1, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Rafiganj P.S.Case No. 121 of 2016 registered for the offences punishable under Section 395 of the Indian Penal Code.

Petitioner is not named in the FIR. It appears that name of the petitioner transpires during course of investigation.

It has been submitted on behalf of the petitioner that except confessional statement of co-accused before police there is nothing against the petitioner, he has not been put on T.I. Parade and there is no recovery from his possession and he is in custody since 2.1.2017 in this case. It has further been submitted that one co-accused having similar allegation has been granted bail by this Court in Cr.Misc.No. 16596 of 2017, vide order dated 26.4.2017.

Heard learned APP and learned counsel for the informant, Madhya Bihar Gramin Bank also. They have opposed the prayer for bail but could not differentiate the case of the co-



accused and this petitioner.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj P.S.Case No. 121 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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