

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23535 of 2017

Arising Out of PS.Case No. -81 Year- 2014 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Chandan Yadav, son of Late Sitaram 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. Vijay Shankar Shrivastava

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 Heard the parties.

The petitioner seeks regular bail in connection with Rajepur P.S.Case No.81 of 2014 registered for offences punishable under Sections 387/24 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the F.I.R. The case is made out under Section 387 and other Sections of the Indian Penal Code and during the course of investigation of the case, name of the petitioner has transpired.

It is submitted on behalf of the petitioner that except confessional statement of one co-accused, there is nothing against the petitioner and the other co-accused persons, whose name also transpired in the confessional statement of the co-accused, have



already been granted bail by this Court, vide order dated 8.10.2015 passed in Cr. Misc. No.20521 of 2015 and order dated 10.4.2015 passed in Cr. Misc. No.9317 of 2015. The petitioner is in custody for about five months. It is also submitted that though he has been made accused in several other cases also but in those cases, he had been made accused on the basis of suspicion only.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that the name of this petitioner has transpired on the basis of confessional statement of the other co-accused persons, making serious allegation against him.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Sikrahana at Dhaka, Motihari, East Champaran in connection with Rajepur P.S. Case No.81 of 2014.

With following conditions :

- (i) One of the bailors of the petitioner shall be a close relatives having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate 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 reasons, the



prosecution is free to move for cancellation of his bail bond.

- (iv) The aforesaid order shall strictly be followed by the court concerned.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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