

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 52879 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -ATRI District- GAYA

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Sanjay Rajbanshi, son of Ganauri Rajbanshi, resident of Village –
Lauhrighani, PS – Atri, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Vinod Kumar, Advocate

For the S t a t e : Mr Ataur Rahman, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered under
Sections 395, 397 of Indian Penal Code.

Allegation is that 10 to 12 persons stopped and looted
the vehicle and assaulted the passengers. Three persons are said to
have been apprehended from the spot, namely, Pappu Kumar,
Pawan Kumar and Shankar Rajbanshi. Counsel for the petitioner
submits that the petitioner has not been apprehended from the spot
nor named in the first information report. It is further submitted
that the petitioner has been implicated in this case during course of
investigation on the basis of confessional statement of one co-
accused and that nothing has been recovered from the petitioner so
as to connect him with the crime. It is also submitted that till date,



the petitioner has not been put on test identification parade and that the petitioner is in custody since 22.02.2017.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in Atri Police Station Case No 11 of 2017 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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