

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53922 of 2017

Arising Out of PS.Case No. -37 Year- 2011 Thana -KHAIRA District- JAMUI

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Kapil Rai son of Jago Rai resident of village - Nagobar, Police Station -
Kharia, District - Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Sahay

For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Khaira
P.S. Case no. 37 of 2011 registered for the offence punishable
under Section 395 of the Indian Penal Code.

6-7 unknown miscreants are said to have committed
dacoity of cash, ornaments etc. intruding into Nazrath Bhawan
armed with weapons.

It is submitted by the learned counsel for the
petitioner that the petitioner is neither named in the FIR nor any
incriminating article has been recovered from his conscious
physical possession. He was not put on TIP. He has been falsely
implicated in the case merely on suspicion. The petitioner has



been languishing in custody since 01.05.2017. Similarly situated co-accused namely, Chocha Mian has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 05.10.2016 passed in Cr. Misc. no. 50166 of 2015.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case no. 37 of 2011.

(Prakash Chandra Jaiswal, J)

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