

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57047 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -RAFIGANJ District- AURANGABAD

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Uday Rajak @ Ajay Rajak, Son of Sitaram Rajak, resident of village-
Chauthiya, P.S.- Salaiya, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Rafiganj
Police Station Case No. 138 of 2017 registered for offences
punishable under sections 25 (1-B)a, 26, 35, 27 of the Arms Act.

It has been submitted that the Police party on secret
information regarding demand of *Rangdari* went at the place of
occurrence where construction work was going on and
apprehended two persons. From the possession of the petitioner
one live cartridge was recovered and from the possession of other
co-accused one loaded country-made pistol was recovered. The
other co-accuseds however escaped from the place of occurrence.
The petitioner was involved in one more case, as mentioned in



paragraph 3 of this application, in which he has been acquitted. There is nothing against the petitioner except that one cartridge was allegedly recovered. The seizure list does not bear signature of any independent witness and he is in custody since 27.08.2017.

Considering the facts and circumstances of the case, the prayer for bail of this petitioner is allowed and he is directed to be released 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, Aurangabad in connection with Rafiganj Police Station Case No. 138 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person 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) If the petitioner is found involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of his bail.
- (iv) 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 reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

Mahesh/-

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