

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59 of 2017

Arising Out of PS.Case No. -275 Year- 2015 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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Rajan Chaudhary @ Tiwary, Son of Lalal Chaudhary @ Kishun Chaudhary,
resident of village - Kailash Nagar, Dhumurati, P.S. Bagaha, Patkhauli,
District - West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 16.09.2015
in connection with Yogapatti P.S. Case No. 275 of 2015 for the
offences instituted under Section 394 of the IPC.

The prosecution story, in brief, is that while the
informant was going to his house after closing shop with cash of
Rs. 30,000/- and ornaments of Rs. 1,10,000/-, three persons came
on motorcycle and stopped him. Out of them, one co-accused
Ravindra Chaudhary, took the bag. The informant identified him
but he could not identify other two co-accused persons. On
protest, they assaulted the informant with fists, slaps, rod and fled



away with the bag. The people came and took him in hospital for treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.09.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The petitioner is not named in the FIR. His name has come on the basis of the confessional statement of co-accused. There is no recovery of any looted articles. The other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 26425/2016.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R. but he has been identified in course of T. I. Parade.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, West Champaran at Bettiah, in connection with Yogapatti P.S. Case No.275/2015.

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(Sudhir Singh, J)

