

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2515 of 2017

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

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Ravindra Chaudhary, S/o Nathu Chaudhary, R/o Harpurwa, Naya Basti,
P.S.- Jogapatti, Dist.-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. Sri Dinesh Singh, (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 23-02-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and also learned counsel for the State.

The petitioner seeks bail in connection with S.Tr. No.
196 of 2016 arising out of Yogapatti P.S. Case No. 275 of 2015,
registered for the offence punishable under Section 394 of the
Indian Penal Code.

Allegedly, three motorcycle borne criminals
including the petitioner stopped the cycle of the informant, the
informant identified the petitioner. The petitioner and others after
injuring the informant took away bag containing ornaments and
cash and fled away and thereafter the informant was brought for
treatment.

Submission is of false implication and that only on
misidentification the informant has identified the petitioner. In this



case other co-accused namely, Rajan Choudhary @ Tiwary vide Cr. Misc. No. 59 of 2017, Sunil Chaudhary vide Cr. Misc. No. 26425 of 2016, Chekhuri Chaudhar @ Amresh Chaudhary vide Cr. Misc. No. 16305 of 2016 and Ajay Patel vide Cr. Misc. No. 11415 of 2016 have been allowed bail, and the petitioner is in custody since 29.08.2015, nothing has been recovered from the possession of the petitioner. The person who has been identified on T.I.P. has also been allowed bail and, as such, the petitioner deserves sympathetic consideration as there is no chance of tampering with the persecution evidence..

The learned A.P.P. opposes the prayer of bail by submitting that petitioner is named in the F.I.R.

In the facts and circumstances stated above, considering the detention of the petitioner, now the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-III, Bettiah, West Champaran, in connection with S.Tr. No. 196 of 2016 (arising out of Yogapatti P.S. Case No. 275 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain



present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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