

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17170 of 2017

Arising Out of PS.Case No. -10 Year- 2015 Thana -DEO District- AURANGABAD

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Dinesh Choudhary, Son of Raja Ram Choudhary, Resident of Village –
Lembua, P.S. –Amas, District – Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017 The petitioner seeks regular bail in connection with Deo

P.S. Case No. 10 of 2015, registered for offences punishable under

Section 395 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
petitioner's name has surfaced in this case only on the basis of
confessional statement of co-accused and except that there is
nothing against him. It has further been submitted that no recovery
has been made from the possession of the petitioner and uptil now
no Test Identification Parade has been conducted and he has been
in judicial custody since 26.11.2016 and other co-accused person
has already been granted bail by this Court vide order dated
03.02.2017, passed in Criminal Miscellaneous No. 2371 of 2017

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that
petitioner's name transpired on this case only on the basis of
confessional statement of co-accused and except that there is
nothing against the petitioner and also other co-accused has



already been granted bail by this Court, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Deo P.S. Case No. 10 of 2015, 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) 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.

(Vinod Kumar Sinha, J)

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