

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16559 of 2017

Arising Out of PS.Case No. -109 Year- 2015 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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Rajesh Yadav Son of Late Raj Kishore Yadav Resident of Village - Karnaul
Chandi, P.S. Charpokhari, District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

8 29-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
04.10.2016 in connection with Bikramganj P.S. Case No. 109 of
2015 for offences punishable under Section 392 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while he was sitting in his Hero Honda showroom three
miscreants came and on gun point snatched Rs. 1,13,000/-.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and on his
extra judicial confessional statement before the police which has
no evidentiary value in the eye of law, he has been made accused.



He submits that no T.I. Parade has been done so far and he has been remanded in the present case and made accused in other cases on his own confessional statement. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a veteran criminal involved in similar offences and as many as eight cases are pending against him most of them of similar nature and some for serious offences.

Considering the facts and circumstances and the materials on record as well as period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Bikramganj P.S. Case No. 109 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required



and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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