

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53667 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Arvind Rajbanshi, S/o Rajendra Rajbanshi, R/o Village- Chainpur, P.S.-
Chabilapur, Distt.- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 03-02-2017

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks bail in Rajgir P.S. Case No.38 of
2016 instituted for the offence under Section(s) 394 Indian Penal
Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioner that
he is not named in the written report. No recovery of any
motorcycle has been made from his possession. His name has
come in the case diary for the first time in para 24 on the basis of
the statement of spy. Thereafter, police arrested him and recorded
his confessional statement as mentioned in para 70 of the case
diary.

Learned APP has submitted that the police has



mentioned in para 31 of the case diary that on the date of occurrence itself i.e. 02.03.2016 the alleged motorcycle was found on NH 30 A at Daniyawa-Biharsharif road in abandoned condition. Learned APP submits that no Test Identification Parade has been held till date as is appearing from the case diary. The petitioner is in custody since 17.05.2016.

In view of such, let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the ACJM IV, Nalanada at Biharsharif, in connection with Rajgir P.S. Case No.38 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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