

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7139 of 2017

Arising Out of PS.Case No. -74 Year- 2014 Thana -KHAIRA District- JAMUI

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Prakash Rajak, Son of Baleshwar Rajak, Resident of village - Ropawell,
P.S. Khaira, District Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-03-2017 Heard the parties.

This application has been filed in connection with Khaira
P.S.Case No.74 of 2014 for the offence under Sections 364/34 of
the Indian Penal Code.

It is submitted on behalf of the petitioner that he is not
named in the F.I.R. but later on his name has been inserted in this
case on the basis of statement of one witness, Anwa Devi and the
statement of the victim but another co-accused, having similar
allegation, have already been granted bail by this Court, vide order
dated 06.07.2015 passed in Cr. Misc. No.9693 of 2015. The
petitioner is in custody since 18.02.2016.

Heard learned A.P.P. also, who could not controvert the
aforesaid fact.



Having heard both sides and in view of the fact that petitioner is in custody for about one year and the another similarly situated co-accused has already been granted bail by this Court, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Jamui in connection with Khaira P.S.Case No.74 of 2014.

With 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) He will appear in the court below on day-to-day basis and in the event of failure to appear on any date before the learned court below without taking permission of the court below, the bail bond of the petitioner shall automatically be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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