

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5372 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

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Rajesh Chaudhary @ Rajesh Mallah, son of late Bhuneshwar Chaudhary,
resident of Village- Raja Bigha, P.S. Rafiganj, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 01.12.2016 in connection with Raffiganj P.S. Case No. 69 of 2016 for the offences alleged under Section 392 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion. Apart from the confessional statement of co-accused Nagendra Kumr Paswan before the police, there is no other material to connect the petitioner with the alleged occurrence. The said co-accused Nagendra Kumar Paswan has been granted bail by this Court in Criminal Miscellaneous No. 33747 of 2016. No recovery has been made from the possession of the petitioner, who claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Raffiganj P.S. Case No. 69 of 2016, on the following



conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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