

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21406 of 2017

Arising Out of PS.Case No. -85 Year- 2012 Thana -RAJIVNAGAR District- PATNA

=====

Ram Jatan Rai son of Sri Ram Sundar Singh Resident of Village -
Hiranandpur, P.S. - Didarganj, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suresh Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 22-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
21.02.2017 in connection with Rajeev Nagar P.S. Case No. 85 of
2012, G.R. No. 3949 of 2012 registered for the offence punishable
under Sections 392 and 411 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she was away from her house, a dacoity was committed
and information about the said dacoity was given by her renter and
guard, Dhananjay Kumar and various valuable articles and
ornaments were stolen.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the First Information Report and his name surfaced on the confessional statement of guard, Dhananjay Kumar before the police, which has no evidentiary value in the eye of law and that being the brother of the guard, he has been falsely implicated. He submits that nothing has been recovered from his conscious possession, although the articles recovered have been identified. He submits that the guard, Dhananjay Kumar has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 45455 of 2012 on 22.11.2012 and other co-accused have also been granted the privilege of bail. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Smt. Gyatri Kumari, learned Judicial Magistrate, Patna in connection with Rajeev Nagar P.S. Case No. 85 of 2012, G.R. No.



3949 of 2012, subject to the condition that both the bailors would
be close relative of the petitioner.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

