

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30207 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -NAWADA MUFFASIL District- NAWADA

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1. Chandan Rajak son of Nandan Rajak, resident of Village- Mansoor Nagar, P.S.- Sohsarai, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 20.03.2017 in connection with Muffasil P.S. Case No. 35/17 for offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b) a/26/35 of the Arms Act.

The prosecution case, as lodged by the police, is that on information that some persons are planning to commit dacoity, they apprehended three persons including the petitioner in a four wheeler vehicle while three persons managed to flee away. From the possession of the petitioner one pistol and three live cartridges were recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He further submits that two of the co-accused apprehended along with the petitioner have since been granted privilege of bail by Coordinate Benches of this Court in Cr. Misc. No. 37103 of 2017 on 10.08.2017 and Cr. Misc. No. 38999 of 2017 on 21.08.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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, Nawada, in connection with Muffasil P.S. Case No. 35/2017, subject to the condition that one of the bailors would be a close relative of the petitioner.

(Nilu Agrawal, J)

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