

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27106 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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Rajiv Roy, son of Shivchandra Roy, resident of Village- Paharpur, P.S.-
Jurabanpur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 01-07-2017

Heard learned counsel for the petitioner and the

State.

The petitioner is in custody in connection with
Harnaut P.S. Case No. 25 of 2017 for the offences under Section
395 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 and 27
of the Arms Act.

From perusal of the FIR it appears that in the
alleged incident of robbery one country made pistol was recovered
from co-accused Rudal Roy and on the basis of the confessional
statement of said co-accused Rudal Roy, the name of the petitioner
has been surfaced in this case.

It is submitted on behalf of the petitioner that the



petitioner was not involved in the occurrence and he has been made accused only on the basis of confessional statement of co-accused. There is no recovery from the possession of the petitioner.

Having regard to the fact that the petitioner is in custody since 2.2.2017 and the petitioner has been made accused in this case on the basis of confessional statement of co-accused, this Court is inclined to enlarge the petitioner, above named, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-V, Bihar Sharif (Nalanda) or the successor Court in connection with Harnaut P.S. Case No. 25 of 2017, subject to the condition that the petitioner will extend full cooperation in conclusion of the trial and will not, in any manner, influence the witnesses.

(Anil Kumar Upadhyay, J)

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