

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3301 of 2017

Arising Out of PS.Case No. -143 Year- 2014 Thana -SAHAR District- BHOJPUR

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Sri Ram Chaudhary, S/o Kapl Chaudhary, Resident of Village- Lodipur,
P.S.- Sahar, District- Bhojpur at Ara. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner : Mr. Satish Kumar Sinha, Advocate

For the Opposite Party : Mr. Bharat Bhushan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sahar
P.S Case No. 143 of 2014 registered for the offence punishable
under Section 364/34 of the Indian Penal Code and Section 27 of
the Arms Act.

The petitioner is not named in the F.I.R. but during
investigation in the confessional statement of Chotu Kahar, who is
named in the F.I.R, the name of the petitioner transpires that the
petitioner was also involved in the conspiracy.

Submission is of false implication and that allegation
for kidnapping is against Chotu Kahar, Ashok Rai and Manoj
Choudhary. Chotu Kahar has already been allowed bail vide Cr.
Misc. No. 17952 of 2015 and further Ashok Rai has also been
allowed bail vide Cr. Misc. No. 8499 of 2015 and the petitioner is



suffering in custody since 28.11.2016 without any legal and cogent material. The witnesses have only stated that Chotu Kahar has stated the name of the petitioner.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioner and further considering that besides confessional statement there is no other material against the petitioner and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Arrah, in connection with Sahar P.S. Case No. 143 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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