

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23252 of 2017

Arising Out of PS.Case No. -33 Year- 2013 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

=====

Lakhan Chaudhary son of Late Mahavir Chaudhary Resident of Village -
Tetrarh, Police Station - Akorhigola, District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajni Kant Singh, Advocate

For the Opposite Party/s : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 17-08-2017 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 08.01.2017 in
connection with Akorhigola P.S. Case No. 33 of 2013 for the alleged
offences under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion. Recovery of the goods has
admittedly been made from the house of the co-accused Shravan
Yadav @ Sharavan Yadav who has been granted bail by this Court
in Cr. Misc. No. 35225 of 2013. The informant is not an eye witness
and there is no objective material to connect the petitioner with the
alleged occurrence. The petitioner claims clean antecedents.

4. A perusal of paragraphs 6, 7, 8, 9 and 108 of the case diary
reveals that none of the staff members of the shop appears to have
identified the accused persons either by name or by face.

5. Be that as it may, 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 Sub-divisional Judicial Magistrate, Dehri, District Rohtas in connection with Akorhigola P.S. Case No. 33 of 2013 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 co-operate 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.

(iv) 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.

(Vikash Jain, J)

Chandran/BT

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

