

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34325 of 2018

Arising Out of PS. Case No.-14 Year-2016 Thana- LUTUA District- Gaya

Rahul Choudhary, Son of Fekku Choudhary, Resident of Village- Chalniya,
P.S.- Bishungarh (Bishunganj), District- Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-07-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Lutua
P.S. Case No. 14 of 2016, registered for the offences punishable
under Sections 457, 380 and 411 of the Indian Penal Code.

The allegation in the present case is that a dacoity was
committed in the house of the informant, whereafter, the
informant and others had raised alarm and subsequently, the
villagers had caught one of the co-accused person namely,
Devek Chaudhary, who is said to have disclosed the name of the
petitioner and others as his accomplice.

The learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case inasmuch as neither any recovery has been made



from his possession nor any T.I.P. has been held. It is further submitted that as far as the criminal antecedent of the petitioner is concerned, all the cases have been lodged after being apprehended in the present case. Lastly, it is submitted that two cases were filed arising out of the same incident i.e. Lutua P.S. Case No. 14 of 2016, which is the present case and the other one is Lutua P.S. Case No. 15 of 2016 in which the petitioner has already been granted bail. The petitioner is stated to be languishing in custody since 24.01.2017.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Gaya in connection with Lutua P.S. Case No. 14 of 2016.

(Mohit Kumar Shah, J)

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