

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 50507 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- MINAPUR District- Muzaffarpur

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Rajeev Kumar @ Rajeev Chaudhary S/o Sital Chaudhary, R/o Vill.-
Ganjbazar, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 414/34 of Indian Penal Code read with Section 25 (1-
B) A/26/35 of Arms Act.

Petitioner's counsel has submitted that on the basis of
statement of co-accused Dilip Chaudhary and Umesh Prasad,
the petitioner has been falsely implicated in this case. It is
submitted that from the allegations made by the said persons, it
is apparent that there is no allegation against the petitioner of
inflicting any injury on the gold trader. At best, the
allegation is that the petitioner was standing guarding at the
backside of the house of victim and subsequently fled away to



his house.

The learned APP has opposed the prayer for bail. It is submitted that petitioner is having criminal antecedent.

This Court would notice that from the averments made in the petition, it appears that the petitioner has already been granted bail in Minapur Police Station Case No 227 of 2016. Though there is another case bearing Minapur Police Station Case No 67 of 2018 pending against the petitioner but it is submitted that in the said case, he has falsely been remanded.

Be that as it may, considering the submissions of learned counsel for the petitioner noticed herein above, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in Minapur Police Station Case No 68 of 2018 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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