

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72750 of 2018

Arising Out of PS. Case No.-50 Year-2012 Thana- KHAIRA District- Jamui

Madan Jee @ Jitendra Rai, Son of Late Bajo Rai, Resident of Village
Barmoriya, P.S. Charkapathar (Sono), District Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Poonam Singh

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 17-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Khaira P.S. Case No. 50 of 2012 registered for the offences punishable under Sections 147, 148, 149, 427, 435, 120B, 121 and 379 of the Indian Penal Code, 3/4 of the Explosives Substances Act and under Section 10, 13 and 16 of Unlawful Activities (Prevention) Act.

Informant has stated in his written complaint that petitioner along with other co-accused persons were indulged in Naxal activities and they set ablaze 10 police truck.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has falsely been implicated in this case only on suspicion. The driver and Khalasi of the truck has not named the petitioner. No Test



Identification Parade has been made. He is in custody since 04.12.2016. It has been further submitted that similarly placed co-accused has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 29798 of 2017 vide order dated 12.07.2017.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 50 of 2012, subject to the conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/Manoj-

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