

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72849 of 2018

Arising Out of PS. Case No.-265 Year-2017 Thana- NOKHA District- Rohtas

Ram Awtar Choudhary, Son of Bihari Choudhary, Resident of Village-Piriya,
P.S. Dhansoi, Distict-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate
For the Opposite Party/s : Mr. Sri Amrendra Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Nokha P.S. Case No. 265 of 2017 registered
for the offences punishable under Section 395 of the Indian
Penal Code.

Informant in his written complaint has alleged that
1500 quintals of wheat was kept in his godown and taking
hostage the guard of the godown some unknown miscreants
unlocked the godown and took away 380 quintals of wheat, one
inverter battery, two tires and cash of Rs. 3000/- after breaking
open Almirah. FIR is against unknown and the total value of
articles is Rs. 4,00,000/-.

It has been submitted on behalf of the petitioner



that he is innocent and has falsely been implicated in this case on the basis of confessional statement made by Shankar Choudhary who has been granted bail by co-ordinate Bench of this Court as contained in Annexure-2 and the accused from which stolen wheat was recovered has also been granted bail as contain in Annexure- 3. He is in custody since 21.06.2018

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 Sri. B.K. Rai, learned A.C.J.M., Sasaram, District Rohtas in connection with Nokha P.S. Case No. 265 of 2017, 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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