

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29871 of 2018

Arising Out of P.S.Case No. -44 Year- 2018 Thana -RAJPUR District- BUXAR

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1. Chandan Rajbhar, Son of Umashankar Rajbhar, resident of Village-Bhabni, P.S.- Rajpur, District- Buxar.
 2. Mithilesh Chouhan, Son of Kailash Chouhan, resident of Village-Bhabni, P.S.- Rajpur, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners are in custody in connection with Rajpur P.S.Case No.44 of 2018 registered for an offence under Sections 120(B) and 394 of the IPC.

The allegation as per written report submitted by the informant to the SHO of Rajpur P.S. is that the petitioner no.1 in conspiracy with petitioner no.2 committed road robbery and snatched an amount of Rs.1,11,000/- besides mobile phones from his possession.

It has been submitted that petitioner no.1 is a Khalasi and he was sitting with the informant on the said pick-up van



which was allegedly intercepted by some miscreants and the cash amount and mobile phones were snatched. It has further been submitted that the present case has been lodged merely on suspicion. The petitioners were arrested on the confession of the co-accused. The motorcycle which was used in committing robbery was recovered from the house of one Pintu Chauhan. The said motorcycle has not been put on test identification parade. It was also submitted that there is nothing in the case diary to connect the petitioners with the above crime. The petitioners are in custody since 12.03.2018 having clean antecedent.

The learned APP opposed the submissions by submitting that there is strong circumstance against the petitioners to show their complicity.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of ACJM-VII at Buxar in connection with Rajpur P.S.Case No.44 of 2018 with following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.



(iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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