

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62744 of 2018

Arising Out of PS. Case No.-73 Year-2016 Thana- GOH District- Aurangabad

=====

Bihari Rawani @ Bihari Ji @ Shyam Bihari Prasad, S/o Shankar ram, @ Shiv
Shankar Rawani R/o Village Jujharpur, P.S. Goh, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Goh P.S. Case No. 73 of 2016 registered for the offence punishable under Sections 120B, 121, 124A, 386, 412, 216 of the Indian Penal Code and Section 25(1-b)a/25(1-A)25 (1-AA)26/35 of the Arms Act and 17 CLA Act.

Informant is the police officer, who in his self statement has stated that he received a confidential information that assembling of top naxal leaders and Bagesh Yadav are planning to commit some crime and on receiving such information, he alongwith other police personnel reached there, where 10-12 miscreants had assembled and on seeing the police party all the miscreants started fleeing away, however



two of them Bhagesh Yadav and Saryu Ram were apprehended after chase, apprehended persons disclosed the name of 10 persons who succeeded in fleeing away including petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. Name of petitioner has surfaced in this case only on the basis of confessional statement of co-accused Bhagesh yadav and Saryu Raim, except confessional statement nothing is against the petitioner. Co-accused, namely, Bhagesh Yadav has been granted bail by this Hon'ble Court as contained in Annexure-2. Petitioner has been remanded in this case on 01.05.2018.

Considering the aforesaid facts 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 S.D.J.M., Daudnagar, in connection with Goh P.S. Case No. 73 of 2016 subject to the conditions that:-

- (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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.



(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)

veena/-

U		T	
---	--	---	--

