

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3436 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- KHAJALI District- Madhubani

Amarjeet Raut, aged about 22 years, Male, son of Rajdeo Raut, Resident of Village-Balansher, P.S.- Babubarhi, District- Madhubani

... Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Barti, Adv.

For the Opposite Party : Mr. Zainul Abedin, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 25-01-2019 Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 02.05.2018 in connection with Khajauli P.S. Case No. 56 of 2018 (CRI-No.702/2018) for the offence alleged under Section 394 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was sleeping in the night, three unknown persons came and asked the informant to give the key of the motorcycle and also demanded money. When on alarm some persons gathered, one of the co-accused gave a sword blow on the informant which caused abrasion on his thighs and hand.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the first information report, bears no criminal antecedent and his name surfaced only on the confessional statement of co-accused, Saurav Kumar, with whom the petitioner had some telephonic conversation. It has, further, been submitted that charge sheet has already been



submitted and nothing has been alleged to be stolen from the house of the informant. He, further, submits that no test identification parade has been done so far and the petitioner is languishing in judicial custody since nearly eight months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Khajauli P.S. Case No. 56 of 2018 (CRI-No.702/2018) to the satisfaction of the learned Additional Chief Judicial Magistrate, III, Madhubani, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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