

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12907 of 2020

Arising Out of PS. Case No.-269 Year-2018 Thana- KUDHNI District- Muzaffarpur

CHHOTU RAI @ CHHOTU KUMAR RAI Son of Jallu Rai @ Jaleshwar Rai
Resident of Village - Daulatpur, Chandi, P.S.- Sadar, Distt - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Branch Manager, State Bank of India, Chandrahatti Branch, Kudhni, P.S. Kudhni, Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar @ Vijay Kr. Singh
For the State : Mr.Rajiv Nayan

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 11-06-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing. However, no one appears on behalf of the informant though link of this video conferencing has already been sent to him.

The perusal of record goes to show that on 9.6.2020 when this matter was taken up for hearing through video conferencing, the learned counsel of the informant did not join the video conferencing though at that time also, link had been sent to him. Moreover, vide order dated 9.6.2020, this court had made clear that if on the appointed date, learned counsel of the informant fails to appear at the time of hearing of the matter



through video conferencing, the appropriate order shall be passed on the petition.

Today again, the learned counsel of informant fails to appear before this virtual court through video conferencing and, therefore, in the aforesaid circumstance, I have no option except to pass appropriate order on the bail prayer of the petitioner, who is languishing in jail custody since long.

Petitioner seeks bail in connection with Kudhni P.S. Case No. 269/2018 registered for the offences punishable under Section 365 of the Indian Penal Code.

Admittedly, neither petitioner is named in the first information report nor anything was recovered from his conscious possession. The name of petitioner came in this case in confessional statement of co-accused and except the confessional statement, there appears to be nothing against the petitioner.

Learned counsel of the petitioner points out that several co-accused, having more or less similar allegations, have already been granted privilege of bail by different Benches of this Court as pleaded at paragraph 19 of the petition. Paragraph 3 of the petition goes to show that petitioner does not have any criminal antecedents and is languishing in jail custody



since 3.9.2019.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III (West), Muzaffarpur/concerned court in connection with Kudhani P.S. Case No. 269/2018.

(Hemant Kumar Srivastava, J)

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