

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24614 of 2020

Arising Out of PS. Case No.-40 Year-2003 Thana- PARAIYA District- Gaya

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RAMJEE CHAURASIA @ RAMJI CHAURASIYA S/o Late Chanarik
Chaurasiua Resident of Village- Gamhariya, P.S.- Kasma, District-
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd Singh Sr. Adv with Mr.Bhaskar
Shankar, Adv.

For the Opposite Party/s : Mr.Narendra Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-09-2020 As of now, the Courts have not resumed normal physical
hearing. The matter has been listed today for consideration
through Video Conferencing.

Learned counsel are appearing and making submissions
from their residence. The Court master and Secretary are also
part of this virtual Court proceedings with the aid of audio
visual technology.

Heard learned senior counsel for the petitioner and
learned APP for the State.

Learned counsel for the petitioner is expected to honor his
undertaking given in the instant case for depositing the requisite
court fee and to remove the defects as pointed out by office
when called upon.



The petitioner seeks bail in Paraiya P.S. Case no. 40/2003 instituted for the offence under Sections 302,307,353,324,323,326,332, 452,436,426,427,147,148 and 149 of the IPC, Section 27 of the Arms Act , Section 3/4 of the Explosive Substance Act and Section 17 of the CLA Act

The prosecution case is that 300 people have ransacked the police station and taken away arms and ammunition and indulged in arson. A chit of paper is left behind at the place of occurrence wherein the petitioner's name has transpired .

Learned senior counsel submits that other than alleged chit of paper there is nothing to support the prosecution case. The petitioner has no criminal antecedent and is a labourer suffering due to false implication in the case, as he is in custody since 15.02.2020. All accused persons have been implicated in the same manner and one of the co accused persons, namely Kamlesh Mistri @ Kamleshji has been allowed bail in Cr. Misc. no. 9057 of 2020

The learned APP opposed the prayer for bail.

This Court would record the undertaking of the petitioner's counsel that soft copy of page no.5 of the petition would be e-mailed to the court itself during the course of day as the same is wanting on the record.



Considering the aforesaid, 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 the ACJM III Gaya, in connection with Paraiya P.S. Case no. 40 of 2003 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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