

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26941 of 2024

Arising Out of PS. Case No.-555 Year-2018 Thana- KOTWALI District- Munger

Shilendra Rajak @ Shivendra @ Shailendra Raajak @ Shailendra, aged about 39 years, Male, Son Of Purushotam Lal Rajak, Resident Of Village / Mohalla - Panchshil Nagar, Police Station - Gorakhpur, District - Jabalpur (M.P)

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjiv Singh, Advocate

For the Opposite Party : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 08-08-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Kotwali P.S. Case No. 555A of 2018, arising out of Kotwali P.S. Case No. 555 of 2018 dated 26.12.2018 registered for the offences punishable under Sections 121, 379, 414, 120B/34 of the I.P.C. and Sections 25(1-A), 25(1-AA), 25(1-b)a, 26 and 35 of the Arms Act and Section 39 of the U.A.P. Act.

3. As per the prosecution case, A.K.-47 Rifle, Masked Magazine of AK-47 rifle and huge quantity of illegal arms were recovered from the possession of the co-accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the



present case. It is submitted that the petitioner is not named in the F.I.R. His name has come in the present case on the basis of the confessional statement of the co-accused person which has got no evidentiary value in the eye of law. Except for the confessional statement of the co-accused person, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Charge sheet has been submitted in the present case. There is no recovery of any incriminating article from the possession of the petitioner. The other co-accused person Chandravati Devi has already been granted bail by a Bench of this Court vide Cr. Misc. No. 26621 of 2024 under order dated 27.06.2024. The petitioner has seven criminal antecedents and in six cases, he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 19.09.2019.

5.Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-3rd, Munger in



connection with Kotwali P.S. Case No. 555A/2018, arising out
of Kotwali P.S. Case No. 555/2018 with further condition:-

(I) The petitioner is directed to remain
physically present before the learned court
below on each and every date, failing
which on two consecutive dates without
reasonable cause, the bail bonds of the
petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

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

