

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67748 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Raju Kumar @ Raju Chauhan, Son Of Dukhanti Chauhan, R/O Vill -
Dudhari, P.S. - Sayadraza, Distt. - Chandauli (u.p)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Ramgarh P.S. Case No. 25 of 2023, registered on 01.02.2023 for the offences under Sections 461, 379 of the Indian Penal Code.

3. As per prosecution case, unknown thieves took away the paddy from the PACS godown of the informant. The name of the petitioner transpired during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been named in this case on the basis of confessional statement of co-accused Gautam Paswan. Due to



previous enmity, Gautam Paswan has confessed the name of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner is accused in altogether five cases but all the cases have been lodged on same date after petitioner was named in this case.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remoteness of allegation without any substantive material and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Mohania, Kaimur at Bhabhua/court concerned in connection with Ramgarh P.S. Case No. 25 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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