

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28305 of 2015

Arising Out of PS.Case No. -62 Year- 2012 Thana -DUMARIA District- GAYA

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Rekha Yadav @ Rekha Jee son of Jatu Yadav resident of village - Hadhi,
P.S. Dumaria, Dist - Gaya. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 16-10-2015 Heard learned counsel for the petitioner as well as the
learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 435, 332, 353, 333, 120 (B) I.P.C. and 27 Arms Act, 3, 4, 5 of Explosive Act & 10, 11 13 (i) 13 (ii) U.A.P. Act and 17 of C.L.A. Act.

Allegedly, extremists laid a mine and exploded the Jeep of the police resulting the driver and one constable died and thereafter made cross firing. Some other police personnel also lost their life. The name of the petitioner transpired while the extremists were calling each other by name and, accordingly, petitioner has been named in the F.I.R. also.

Submission is that co-accused Dhanik Lal Mandal

filed complaint Case No. 74/05 against the then Officer-in-charge, Bhola Nath Singh and against present informant also resulting the petitioner who is cousin of Dhanik Lal Mandal has been roped in several cases by the police personnel. Investigation has already been concluded and others co-accused have been granted bail.

In the facts and circumstances stated above, considering that similarly situated co-accused persons have been enlarged on bail and the petitioner is in custody since 03.04.2015, the petitioner is directed to 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 S.D.J.M. Sherghati, Gaya in connection with Dumaria P.S. Case No. 62/12, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part, without any reason, shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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