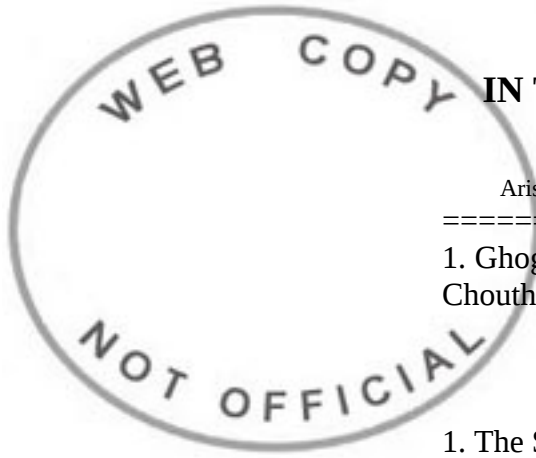




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31887 of 2015

Arising Out of PS.Case No. -130 Year- 2014 Thana -CHAUTHAM District- KHAGARIA

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1. Ghoghal Yadav S/o Narsingh Yadav Resident of village - Sonbarsa, P.S.
Choutham, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Yogendra Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 23-11-2015 Heard the 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, 353, 307 and 429 of the I.P.C and sections 25 (1-B) A, 26, 27 and 35 of the Arms Act.

Allegedly, acting on a tip off the informant and other police personnel raided at Araria Bahiyar then the petitioner and other co-accused resorted to firing upon the police party and the police party also retaliated and during course of firing one female folk and buffalo sustained fire arm injury. However, the police party apprehended the petitioner and recovered loaded regular

rifle, cartridges, mobile set and knife etc.

Submission is of false implication and that no case is made out as alleged by the prosecution. Nothing has been recovered from possession of the petitioner and the alleged recovery is only plantation resulting the petitioner is suffering in custody since 15.11.2014 and charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent also as he is involved in five more cases.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and the petitioner by remaining in custody now has been sufficiently penalized at this stage and as such he 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 Additional Sessions Judge-II, Khagaria in S.T. No. 103 of 2015 arising out of Chautham P.S. Case No. 130 of 2014, 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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