



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31427 of 2015

Arising Out of PS.Case No. -15 Year- 2013 Thana -SALAIYA District- AURANGABAD

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1. Yogendra Rajak @ Chhotu Rajak S/o Ramnandan Baitha Resident of Village Kauakhap, P.S. Rafiganj, District Aurangabad, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 30-11-2015 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 25 (1) (b), 25 (1-A), 25 (1-AA), 25 (1-AAA), 25 (1-B) a, 25 (1-B) C and 26 of the Arms Act, section 3/4 of the Explosive Substance Act, sections 10, 13 and 16 of the Unlawful Activities Act and section 17 of C.L.A. Act.

Allegedly, on the basis of the confessional statement of the petitioner and information furnished by him, fire arms, explosive substance and ammunition have been recovered from Chalho Forest, as per seizure list.



Submission is of false implication and that nothing has been recovered from his conscious possession and the police has forcibly taken his signature on the seizure list resulting the petitioner is suffering in custody since 12.07.2013. Charges have already been framed and only one prosecution witness has been examined, in near future there is no likelihood of early disposal of the case and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent also.

In the facts and circumstances as stated above, considering that up till now only one prosecution witness has been examined and in near future there is no likelihood of early conclusion of the trial and as such considering detention of the petitioner now 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 Adhoc Additional Sessions Judge-IV, Aurangabad in S.Tr. No. 263 of 2014/ 35 of 2014 arising out of Rafiganj P.S. Case No. 15 of 2013, 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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