

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23761 of 2014

Arising Out of PS.Case No. -173 Year- 2000 Thana -KORHA District- KATIHAR

=====

Bineshwari Yadav @ Sipahi Yadav Son of Late Raju Yadav Resident of
Village- Kare Mandal Tola, P.S. Janki Nagar, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Praveen Kumar Agrawal, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 05-01-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is languishing in custody since 21.03.2014 in a case registered for the offences punishable under Sections 395, 397 and 412 of the Indian Penal Code.

The prosecution case is of robbing the passengers of Tata 407 vehicle. Three persons were apprehended on the spot who named the petitioner as one of the associates.

It is submitted by learned counsel for the petitioner that the petitioner was in custody in other case from 2000 to 2004 but he was never been remanded and for the first time arrested in 2014. There is neither any recovery from the

petitioner nor he has been put on TIP. This fact has not been controverted by learned APP.

Though, it is mentioned in para 3 of the petition that the petitioner is accused in six other cases but it has been stated that in all the case he has already been acquitted. A supplementary affidavit to that effect has also been filed.

Considering the fact that there is neither any recovery from the petitioner nor he has been put on TIP, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 173 of 2000.

The learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some serious nature of the offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

DKS/-

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