

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41322 of 2014

Arising Out of P. S. Case No. -140 Year- 2013 Thana -GOH District-
AURANGABAD

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Sridhar Pathak Son of Late Bhudeo Pathak Resident of Village - Temura,
Police Station - Parthu, District - Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 02-03-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 307 324, 353,
435, 379, 427, 302 of IPC and 27 of the Arms Act and ¾ of
Explosive Substances Act and 17 Criminal Law Amendment Act
and 10 Unlawful Activities (Prevention) Act, 1967 Act.

The prosecution case is that about 250 unknown
persons armed with deadly weapon attacked the Police Camp
MBL Company Base Camp Gajapur and the members of the mob
made firing and also thrown grenades but they could not explode,
causing the death of five police personnel and the loot of several
articles and damage of vehicles.

It is submitted that the name of the petitioner has appeared during investigation on the confessional statement of co-accused Rajendra Yadav and Sanjay Yadav and the petitioner has also made confession before the police.

It is further submitted that in similar facts and circumstances, co-accused Ramashish Prasad and Samir Paswan have been granted bail vide Cr. Misc. No. 17333 of 2014. After investigation charge-sheet has already been submitted but the petitioner has not been put on T. I. Parade nor any indiscriminating article has been recovered from his possession.

Learned counsel for the State submits that Ramashish Paswan and Shabir Paswan @ Sahabir Paswan have not made any confession nor they had any criminal antecedent, whereas, the petitioner has made confession before the police and has also criminal antecedent.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two **genuine** sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/court concerned in Goh P. S. Case No. 140 of 2013 **after framing of charge** with following conditions:-

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1. The petitioner will not indulge himself in similar or any other offence.
 2. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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