

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48070 of 2015

Arising Out of PS.Case No. -126 Year- 2010 Thana -TEKARI District- GAYA

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1. Vikas Yadav @ Upendra Yadav @ Faudi Yadav @ Fauzi Yadav, Son of Ram Kishun Yadav, resident of Village- Girdhara, P.S.- Paraiya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Punam Shrivastava, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 10-11-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Vikas Yadav @ Upendra Yadav @ Faudi Yadav @ Fauzi Yadav, in connection with Tekari (Gaya) Police Station Case No. 126 of 2010, under Sections 147/148/149/342/323/379/427/435 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

Perused the above application and materials on record.

Heard Mrs. Punam Shrivastava, learned Counsel for the petitioner, and Mr. Uday Pratap Singh, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 20.07.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available on record does not reveal such incriminating materials, which would warrant further detention of the

accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of Mr. Srigar Sah, learned Judicial Magistrate, 1st Class, Gaya, in connection with Tekari (Gaya) Police Station Case No. 126 of 2010.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I.A. Ansari, ACJ.)

Mkr./-

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