

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49754 of 2015

Arising Out of PS.Case No. -13 Year- 2014 Thana -SALAIYA District- AURANGABAD

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Devi Lal Yadav, son of Bhola Yadav, resident of village-Aajan P.S. Goh,
Distt. Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kr Singh No. 6

For the Opposite Party/s : Mr. Smt. Rita Verma (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 21-12-2015

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Salaiya
P.S. Case No. 13/2014 registered for the offences punishable
under Sections 122 of the Indian Penal Code, Sections 3 / 4 of
Explosive Substance Act and Section 17 of C.L.A. Act.

Allegedly, on the basis of information furnished by
the petitioner, raid was conducted at Cholho hill, seeing the police
personnel, the persons assembled there fled away, from there
several incriminating articles and explosive substance were seized
as per seizure list. Accordingly, case was registered and the
petitioner was also added as an accused.

Submission is of false implication and that the
petitioner being a law abiding citizen disclosed the facts which he
has seen but he has also been made an accused in this case,

resulting he is suffering in custody since 14.07.2015.

The learned A.P.P. opposes the prayer of bail by submitting that on the basis of confessional statement of the petitioner, huge quantity of explosive substance was recovered.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail **after completion of six months in custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Mahabir Prasad, J.M. 1st class, Aurangabad in connection with Sallaiya P.S. Case No. 13 of 2014, subject to the conditions that one of the bailors must be 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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