

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25015 of 2015

Arising Out of PS.Case No. -324 Year- 2014 Thana -WAJIRGANJ District- GAYA

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1. Guddu Kumar Yadav Son of Dhaneshwar Yadav Resident of village -
Raghunathpur, P.S. - Mohanpur, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 07-10-2015 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 section 395 of the I.P.C

The informant was driving the truck loaded with
wooden logs from Lucknow to Silaw, district- Nalanda and on
16.07.2014 at about 12.30 A.M. his truck was intercepted by bus
and four persons carrying arms came there from the bus, got the
driver (informant) down from the truck and after assaulting pushed
him to board in the bus and thereafter they brought the informant
by the side of the road and after tying his hands and legs left him
and took away the truck and bus towards western side. At about 4
A.M. the police party came and then with the help of police party



they went towards that direction and three miscreants were caught in the truck with pistol and cartridges who disclosed their names as Dhirendra Paswan, Jitendra Paswan and Anil Yadav and confessing the guilt Anil Yadav stated the name of the petitioner also and further the petitioner also confessed his guilt vide paragraph-23 of the case diary.

Submission is of false implication and that the petitioner is in custody since 19.07.2014, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, he is not named in the F.I.R nor there is recovery of any incriminating article from possession of the petitioner and further no T.I. parade was conducted and co-accused Sudama Kumar Yadav @ Sudama Kumar has been allowed bail vide Cr. Misc. No. 25053 of 2015 by order dated 21.07.2015 and further co-accused Surendra Manjhi has been allowed pre-arrest bail vide Cr. Misc. No. 33005 of 2015 by order dated 20.08.2015 and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that the name of the petitioner has come during course of investigation and he has also confessed his guilt.

In the facts and circumstances as stated above, the

petitioner 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 Additional Sessions Judge Vth, Gaya in Sessions Trial No. 220 of 2014 arising out of Wazirganj P.S. Case No. 324 of 2014, 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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