

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52056 of 2014

Arising Out of PS.Case No. -340 Year- 2014 Thana -BIHTA District- PATNA

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1. Sharma @ Pappu Yadav Son of Shri Kameshwar Yadav, resident of
Village AND P.O.- Pareo, P.S.- Bihta, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Sanjay Kr.Singh(App)

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

3 04-03-2015 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 sections 394 and 302/34 of the I.P.C and section
27 of the Arms Act.

It is submitted that the petitioner is not named in the
FIR but in the confessional statement of co-accused name of
petitioner has come which has got no evidentiary value in the eye
of law. Nothing has been recovered from possession of the
petitioner though witnesses have stated that the petitioner and
others were moving around near the Balughat resulting the
petitioner is suffering in custody since 04.09.2014 after surrender
in this case without any fault. Charge sheet has already been

submitted and there is no chance of tampering with the prosecution evidence.

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 A.C.J.M. Danapur (Patna) in Bihta P.S. Case No. 340 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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