

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15500 of 2015

Arising Out of PS.Case No. -5 Year- 2012 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

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1. Nirala Yadav @ Raja Ram Yadav Son of Sita Ram Yadav resident of
Village - Bishunpur, Police Station - Dhibara, District - Aurangabad.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar Yadav

For the Opposite Party : Mr. Shyam Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-05-2015 Petitioner is languishing in custody since
06.11.2012 in a case registered for the offences punishable
under Sections 147, 148, 149, 307, 353, 120B of the Indian
Penal Code, Section 27 of the Arms Act, Section 3/4 of the
Explosive Substances Act and Section 13/15 of the Unlawful
Activities(Prevention) Act and Section 17 of the Criminal Law
Amendment Act.

The prosecution case is that the informant
being Sub-Inspector and In-charge of Chutia Police Station on
the information that miscreants are preparing to commit
serious offence, raided the place when indiscriminate firing was
made. Before police could resort to cross firing the miscreants
escaped from the scene. From the place of raid two bags of
explosive substance, cane bomb, electric detonator, two police
dress and extremists literatures were recovered. It is alleged
against the petitioner that petitioner, while in custody

conspired for the commission of the offence.

It is submitted by learned counsel for the petitioner that the nature of accusation suggests that there was no plan by the miscreants to resort to fire nor there was any injury caused to any police personnel and maliciously the petitioner has been implicated in the present case.

Considering the aforesaid facts, let the petitioner, above named, 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 learned Adhoc Additional District Judge-III, Rohtas in connection with Sessions Trial No. 308 of 2014, arising out of Chutiya P.S. Case No. 5 of 2012.

Since the petitioner has serious criminal antecedent, let learned Court below cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in serious nature of offence or defaults for three consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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