

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47534 of 2015

Arising Out of PS.Case No. -26 Year- 2013 Thana -PARAIYA District- GAYA

Sahdeo Yadav @ Sahdeo Prasad Yadav, S/o Late Bhola Yadav, R/o
Village- Mobarakpur, P.S.- Paraiya, District- Gaya

..... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-11-2015

This is an application for grant of regular bail in favour of the petitioner who is an accused in connection with Paraiya PS Case No. 26 of 2013 for the alleged offences punishable under Sections 147, 148, 149, 341, 342, 302 and 504 of the Indian Penal Code, and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act read with Section 3(X) of the SC/ST (Prevention of Atrocities) Act.

The petitioner is in custody since 17.5.2014 and the charge-sheet has already been submitted by the police. The petitioner is named in the First Information Report. Learned counsel for the petitioner submits that the allegation of opening fire leading to death of the deceased is against Santosh Yadav and there is no allegation of any overt act against the petitioner. He submits that as per the allegation, he was also present with the

accused persons at the time of occurrence. He submits that since the charge-sheet has been submitted, no tangible purpose would be served if the petitioner is compelled to remain in custody any further.

I find substance in the submission made on behalf of the petitioner. This application is accordingly allowed.

Let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (SC/ST Act), Gaya, in Paraiya PS Case No. 26 of 2013 (GR NO. 1268 of 2013, Trial No. 01 of 2014).

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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