

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24664 of 2015

Arising Out of PS.Case No. -140 Year- 2013 Thana -GOH District- AURANGABAD

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1. Kail Prajapati @ Akash Ji @ Satyanarayan @ Hargovind Pandit S/o Inderdeo Prajapati
r/o village Ajan, P.S. - Goh, in the District of Aurangabad.
..... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. S.D.Singh Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-10-2015

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

Petitioner seeks bail in connection with Goh P.S. Case No. 140 of 2013 registered for the offences punishable under Sections 147, 148, 149, 307, 302, 320, 326, 353, 379, 380, 396, 427, 435 and 120-B of the Indian Penal Code, Section 17 of C.L.A. Act, Section 27 of the Arms Act, Section ¾ of the Explosive Substance Act And Section 16, 17, 18 and 19 of Unlawful Activities prevention Act.

Allegedly 300 to 400 Maoists resorted to firing on the police camp killing four security persons and one driver on the spot.

Submission is that the petitioner is not named in the F.I.R. and he has not been put on T.I.P. During investigation some persons on suspicion have been arrested and their confessional

statements have been recorded wherein, the name of the petitioner has also been mentioned. Similarly situated other co-accused persons, namely, Devi Lal @ Muni Lal @ Munni, Sidhnath Yadav @ Vikash Jee, Kariman Yadav and Shashi Bhushan Sahni have already been allowed bail by another Benches of this Court and as such the petitioner also deserves sympathetic consideration and he is suffering in custody since 30.05.2014 to which the learned A.P.P. does not oppose.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-divisional Judicial Magistrate, Daudnagar, Distt. Aurangabad arising out of Goh P.S. Case No. 140 of 2013 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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