

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40590 of 2015

Arising Out of PS.Case No. -53 Year- 2014 Thana -KATORIA District- BANKA

=====

Suchit Yadav son of Late Zeera Yadav, resident of Village- Palania, P.S.
Katoria, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party : Mr. Smt. Sucheta Yadav (APP)

=====

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

ORAL ORDER

2 02-09-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner wants to renew his prayer for bail which was earlier rejected by order dated 24.12.2014 by this Court vide Cr. Misc. No. 32068 of 2014 on the ground that the witnesses examined in the court have not disclosed the name of the petitioner in commission of the offence which is evident from the order of the learned 1st Additional Sessions Judge, Banka dated 21.07.2015 and further similarly situated co-accused Pappu Yadav @ Pappu Kumar Yadav who was also armed with lathi as like the petitioner has been allowed bail vide Cr. Misc. No. 8906 of 2015 by another Bench of this Court by order dated 22.06.2015 and the petitioner by remaining in custody since 09.05.2014 now has been sufficiently penalized as there is no specific allegation against

him.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from that of Pappu Yadav @ Pappu Kumar Yadav who has been allowed bail.

In the facts and circumstances as stated above, the petitioner Suchit Yadav now 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 1st Additional Sessions Judge, Banka in S.T. No. 716 of 2014 arising out of Katoria P.S. Case No. 53 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)

Abhay/-

U		T	
---	--	---	--