

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16291 of 2015

Arising Out of PS.Case No. -47 Year- 2014 Thana -SONO District- JAMUI

Umesh Yadav @ Dabloo Yadav @ Babloo Yadav, son of late Yaddu Yadav, resident of village-Thamman, P.S.-Sono, District-Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. S. B. Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

6 22-05-2015

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in connection with Sono P.S. Case No. 47 of 2014 registered for the offences punishable under Sections 121, 121-A, 120B of the Indian Penal Code, 25(1-B)(a), 26 of the Arms Act and 16,17,18, 19, 20 and 21 of the U.A.P. Act.

According to the prosecution case, one country-made loaded pistol, one live cartridge of .303 and one bag of red colour containing some letter pads and photocopy of some literature of extremist group were recovered from possession of the petitioner.

It has been contended that the petitioner is in custody since 23.03.2014 and till date, even charges have not been framed. It has further been contended that there is no sanction of

the competent authority to prosecute the petitioner for the offences punishable under Section 121 and 121A of the Indian Penal Code.

The further contention is that the allegations made in the first information report would not attract ingredients of the alleged offences punishable under the Unlawful Activities (Prevention) Act.

Learned counsel for the State has opposed the prayer for bail. She has submitted that though the petitioner is in custody for over one year but the nature of allegation disentitles him from being released on bail.

Regard being had to the facts and circumstances of the case, 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 the learned Sessions Judge, Jamui in connection with U.A.P. Case No. 18 of 2015 arising out of Sono P.S. Case No. 47 of 2014.

(Ashwani Kumar Singh, J.)

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