

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44926 of 2015

Arising Out of PS.Case No. -153 Year- 2015 Thana -DUMRA District- SITAMARHI

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Vivek Yadav S/o Abhinandan Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Dilbar Krishna, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 02-11-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 188/414 of the Indian Penal Code and 52 of The Prisoners Act.

The prosecution case is that on 24.06.2015 at 9.20 pm a surprised search was made in the District Jail, Sitamarhi by the district administration and 8 mobiles, 9 chargers and one hand-phone, were recovered. It is alleged that one Samsung black colour mobile with SIM of Reliance, one charger and battery were recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner was in custody in another case when petitioner was granted bail on 23.06.2015 and he has maliciously

implicated in the present case and the seizure did not bear the signature of the petitioner. For the seizure made on 24.06.2015, the FIR was registered on 26.06.2015 which reflects the malicious manner in which the case has been registered.

The aforesaid facts constitute ground for consideration of prayer for regular bail. Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Dumara P.S. Case No.153 of 2015, pending before the learned CJM, Sitamarhi.

With the above observation, this application is, accordingly, disposed off.

Ashwini/-

(Dinesh Kumar Singh, J)

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