

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10358 of 2016

Arising Out of PS.Case No. -19 Year- 2003 Thana -PALASI District- ARRARIA

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1. NAGO YADAV @ NAGESHWAR YADAV @ NAGRESHWAR
YADAV Son of Gobind Yadav @ Govind Lal Yadav Resident of village -
Belbari, P.S. Palasi, Distt. - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

2 04-03-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The present case under sections 395 and 397 of the
Indian Penal Code was lodged against the petitioner and other co-
accused including co-accused Manoj Yadav in the year 2003 but
petitioner was arrested on 16.12.2015 and sent to jail custody.

The contention on behalf of the petitioner is that in
the year 2003, petitioner was in jail custody in connection with
Araria P.S.Case No. 62 of 2003 but police did not make any
prayer for remand of the petitioner in the present case and after
13 years of the occurrence, petitioner has been remanded in this
case. It is also pointed out that one co-accused Manoj Yadav

having more or less similar allegation, has already been granted privilege of bail by a co-ordinate Bench of this Court.

No doubt, petitioner carries criminal antecedent of several cases but it appears from perusal of Para-3 of the petition that after year 2005, no case had been lodged against the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-3, Araria, in connection with Palasi P.S. Case No. 19 of 2003, S.G.R.No. 271 of 2003.

(Hemant Kumar Srivastava, J)

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