

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21078 of 2016**

Arising Out of PS.Case No. -402 Year- 2014 Thana -BANKA District- BANKA

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1. Bimal Yadav son of Malku Yadav, resident of village- Bhemiya, P.S.  
Katoria, District- Banka

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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

2      23-05-2016      Heard the learned counsel for the petitioner as well as  
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 435 and 427 of the I.P.C, section 27 of the Arms Act and sections 3 and 4 of the Explosive Substance Act.

It is submitted that the petitioner is not named in the FIR. During course of investigation the name of the petitioner and others came in the confessional statement of co-accused Ashok Tanti, except that there is nothing against the petitioner to show his involvement in the present case. The petitioner was apprehended in connection with Banka P.S. Case No. 552 of 2015, thereafter he has been remanded in this case on 23.09.2015 and

since then he is in custody. Similarly situated co-accused Jai Ram Yadav, Ranjeet Yadav and Manoj Yadav have been allowed bail by other coordinate Benches of this Court, to which the learned A.P.P. does not oppose.

In the facts and circumstances as stated above, the petitioner is also 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 C.J.M. Banka in Banka P.S. Case No. 402 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/-

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