

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22606 of 2016

Arising Out of PS.Case No. -71 Year- 2015 Thana -NIMACHANDPUR District- BEGUSARAI

1. Yogendra Sada S/o Late Bodhan Sada, Resident of village-Kusmahaut,
Police Station- Neema Chandpura, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 26-05-2016 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, 307, 302, 323, 353, 333, 224 and 225 of the I.P.C, section 27 of the Arms Act and sections 18 and 20 of the Unlawful Activities (Prevention) Act.

The petitioner is named in the First Information Report along with 33 accused persons and it is alleged that the FIR named accused persons and 100-125 unknown opened fire on the police personnel, threw bricks and got released Baunu Sada after killing one SAP personnel and causing injury to the informant and other police personnel.

Submission is of false implication and that there is no



specific allegation against the petitioner, his identification appears not reliable, there is no legal and tangible material against the petitioner besides suspicion, Baunu Sada has not stated the name of the petitioner as the assailant or to have opened fire in his confessional statement, other co-accused, namely, Manoj Sada, Babloo Sah, Arun Sada, Kapildeo Sada, Sarjan Sada, Chalitter Sada and Shankar Sada have already been allowed bail by another coordinate Bench of this Court and as such the petitioner having clean antecedent also deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner is named in the FIR.

In the facts and circumstances as stated above, considering that the other similarly situated co-accused have been allowed bail and against the petitioner also there is no specific allegation and as such 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 Sri Rakesh Kumar, J.M. 1st Class, Begusrai in Neema Chandpura P.S. Case No. 71 of 2015, 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)

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