

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22352 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -SHERGHATI District- GAYA

=====

1. Binod Yadav Son of Late Ganeshi Yadav resident of Village -
Lakshnauti, P.S. - Sherghati, District - Gaya..... Petitioner

Versus

1. The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Rajendra Singh Shastri(App)

=====

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

ORAL ORDER

2 24-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Sherghati
P.S. Case No. 21 of 2016 registered for the offences punishable
under Sections 399, 402 of the Indian Penal Code, Sections 25(1-
b)a, 26/35 of the Arms Act and Section 17 of C.L.A. Act.

Allegedly, one country made Katta and one mobile
having two SIMS were recovered from possession of the petitioner
when he along with others had assembled to make preparation for
committing dacoity.

Submission is of false implication and that he was
arrested on 10.01.2016 but he was produced before the learned
Magistrate on 12.01.2016, no explanation was given for the
aforesaid delay and the petitioner has got no criminal antecedent.
Co-accused Kapil Yadav has been allowed bail and as such the

petitioner also deserves sympathetic consideration to which learned APP opposes.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completion of six months custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati at Gaya in connection with Sherghati P.S. Case No. 21 of 2016, 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.

avin/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--