

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22737 of 2016

Arising Out of PS.Case No. -5 Year- 2006 Thana -DUMARIA District- GAYA

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Vijay Kumar Arya, son of Late Ramjatan Singh Yadav, resident of village-
Karma, P.S.- Konch, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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**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 connection with
Dumariya P.S. Case No. 05 of 2006 registered for the offences
punishable under Sections 147, 148, 149, 353, 241, 307, 427 and
120B of the Indian Penal Code and Section 17 of the C.L.A. Act.

Allegedly, during patrolling, thirty yards plastic
wire was recovered from north side of the road and further there
were two pits on the road and the road was blocked after keeping
the tree and it is alleged that the petitioner and other MCC
extremists with an intention to kill the police personnel have
blocked the road and have fitted explosive substance.

Submission is of false implication and that no one
was injured, the petitioner has been made victim of police atrocity,

nothing has been recovered from possession of the petitioner and without any fault, he is suffering in custody since 22.09.2015.

The learned A.P.P opposes the prayer of the bail by submitting that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering that the name of the petitioner has been taken only on suspicion and nothing has been recovered from the possession of the petitioner, and as such, he is directed to be released on bail 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 Sub-Divisional Judicial Magistrate, Sherghati in connection with Dumariya P.S. Case No. 05 of 2006, 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.

Mishra/-

(Jitendra Mohan Sharma, J.)

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