

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46569 of 2015

Arising Out of PS.Case No. -17 Year- 2005 Thana -BARHARA District- PURNIA

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Buchan Yadav @ Braj Kishore Yadav, S/o Sri Beni Prasad Yadav, Resident
of village- Mojampatti, P.S.- Barhara, District- Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 15-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions
Trial No.858 of 2006/1125 of 2013, arising out of Barhara P.S.
Case No.17 of 2005, registered under Sections 353, 402, 414, 307,
399 and 216 of the Indian Penal Code besides Sections 25(1-B)A,
26, 27 and 35 of the Arms Act.

The prosecution case is that on receiving secret
information about making a plan for committing dacoity and
murder by this petitioner alongwith others police reached at the
Kamath/outhouse of this petitioner from where 8 persons were
apprehended by the police, who were found in possession of arms

and ammunitions.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended by the police alongwith others from the Kamath/outhouse of this petitioner. It is further submitted that since the petitioner is accused in 26 cases, due to that reason, the petitioner has falsely been implicated by the police in this case. The petitioner on being remanded , in the present case, is in custody since 06.11.2007.

The report regarding the present stage of the case, as called for vide order dated 05.10.2015 by this Court, has been received from the court of the 4th Additional Sessions Judge, Purnea through letter no.229 of 2015 dated 09.10.2015 from which it appears that out of the 12 charge-sheet witnesses, only four witnesses have been examined and eight witnesses are yet to be examined.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II, Purnia, in connection with Sessions Trial No.858 of 2006/1125 of 2013, arising out of Barhara P.S.

Case No.17 o 2005. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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