

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50869 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -LAXMIPUR District- JAMUI

=====

1. Nundeo Yadav S/o Late Bhajinath Yadav Resident of Khairan, P.S.
Jhajha, Distt. - Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Uday Chandra Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 05-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Laxmipur P.S.
Case No. 21 of 2015 registered for the offences punishable under
Sections 364A, 458/34 of the Indian Penal Code and Sections 3/4
of Explosive Substance Act.

Allegedly, 10-11 miscreants kidnapped Harishchandra
@ Harish Yadav and took away towards forest. During
investigation the victim was released and name of the petitioner
transpired in the statement of spy and further co-accused also
stated the name of the petitioner.

Submission is of false implication and that the
petitioner is in custody since 19.08.2015 but he has not been put



on test identification parade, the victim has been recovered soon after the occurrence and made statement before the Police in which he has not taken name of the petitioner and further the victim has not been examined under Section 164 of the Cr.P.C. and his prayer for bail has been rejected only on the basis of information furnished by Spy and further the petitioner is accused in Laxmipur P.S. Case No. 207 of 2014. The informant has filed compromise petition also and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that the petitioner has got criminal antecedent and he is a member of Gang of Tantan Mishra a renowned criminal.

In the facts and circumstances stated above, considering that the name of the petitioner has come in the confessional statement of co-accused, the petitioner above named 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 S.D.J.M., Jamui in connection with Laxmipur P.S. Case No. 21 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.

avin/-

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

(Jitendra Mohan Sharma, J)