

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46135 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -CHAKAI District- JAMUI

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1. Raju Yadav Son of Late Biju Yadav, Resident of Village - Bishunpur,
P.S. - Charkapathar, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. B.M.P.Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 01-03-2016 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 16, 17, 18, 19, 20, 21 and 22 of the U.A.P. Act.

Allegedly, during raid the petitioner was caught, whereas, other co-accused succeeded in fleeing away and from possession of the petitioner two small diaries, mobile, magazine of Maoist Organization etc. were recovered and it is alleged that the Bihar Government has announced Rs. 50,000/- as reward for arresting the petitioner.

Submission is of false implication and that the petitioner has been made victim of the police atrocities, no



incriminating article has been recovered from his possession, the petitioner was arrested empty handed, the recovery shown from possession of the petitioner is not correct and without any legal and cogent material he is suffering in custody since 05.05.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, in other cases the petitioner has been allowed bail and recently he has been allowed bail in Chakai P.S. Case No. 92 of 2014 vide Cr. Misc. No. 57672 of 2015 by another coordinate Bench of this Court and in this case also other co-accused have been allowed bail.

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

In the facts and circumstances as stated above, considering detention of the petitioner, now he 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 the Sessions Judge, Jamui in U.A.P. Case No. 67 of 2015 arising out of Chakai P.S. Case No. 43 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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