

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56464 of 2015

Arising Out of PS.Case No. -424 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

1. Surendra Kumar S/o Rajendra Kumar, resident of Village- Shahpur, P.S.-
Aurangabad (Town), District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.56530 of 2015

Arising Out of PS.Case No. -424 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

1. Akshay Kumar @ Pintu S/o late Hari Mahto Resident of Village- Patej,
P.s Amas , District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.57205 of 2015

Arising Out of PS.Case No. -424 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

1. Deepak Yadav S/o Ramdeni Yadav, resident of Village- Jalwan, P.S.-
Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.56464 of 2015)

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Ashraf Ansari(App)

(In Cr.Misc. No.56530 of 2015)

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Ashraf Ansari (App)

(In Cr.Misc. No.57205 of 2015)

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Manoj Kumar (App)

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

4 06-04-2016

All the three Criminal Miscellaneous are of the same occurrence and as such have been heard together and are being disposed of by passing this common order.

Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 386 and 120 B of the I.P.C, section 17 of the C.L.A. Act and sections 38, 39 and 40 of the U.A.P. Act.

Allegedly, acting on a tip off the informant and other police personnel caught the petitioners who were on talking term with Ram Pravesh Yadav, the veteran Naxalite leader and after search from possession of petitioner Surendra Kumar cash of Rs. 16,450/- and two mobiles, from possession of petitioner Akshay Kumar @ Pintu one mobile and from possession of petitioner Deepak Yadav also one mobile were recovered and they confessed that they used to collect levy for Naxali commander Ram Pravesh Yadav.

Submission is of false implication and that the petitioners have got no criminal antecedents, they have been

caught only on suspicion, the amount recovered is not the amount of levy, without any legal and tangible material they are suffering in custody since 08.10.2015 and now by remaining in custody they have been sufficiently panelized, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering detention of the petitioners and further that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the above named three petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Aurangabad in Aurangabad (Town) P.S. Case No. 424 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

Abhay/-

(Jitendra Mohan Sharma, J)

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