

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38329 of 2016**

Arising Out of PS.Case No. -62 Year- 2016 Thana -BARACHATTI District- GAYA

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Mahendra Yadav @ Mahendra Singh Yadav, S/o Shri Birju Yadav, R/o  
village Kahudag Tola, Nimiyatad, P.S. Barachatti, District Gaya.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Deepak Kumar, Advocate

For the Opposite Party : Mr. Dr. Indiwari Kumari (APP)

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

2 03-10-2016

Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with  
Barachatti P.S Case No. 62 of 2016 registered for the offence  
punishable under Section 394 of the Indian Penal Code.

Allegedly, the petitioner is not named in the F.I.R.,  
he has been remanded in this case from Barachatti P.S. Case No.  
80 of 2016 and it is alleged that there is confessional statement of  
the petitioner and some incriminating articles has been recovered  
from his conscious possession.

Submission is of false implication and that the  
petitioner has surrendered in Barachatti P.S. Case No. 80 of 2016  
in which he is on bail and remanded in Barachatti P.S. Case No.  
76 of 2016, in which he was also on bail and in this case he is  
suffering in custody since 26.05.2016, but he has not been put on

T.I.P., nothing incriminating article has been recovered from the conscious possession of the petitioner and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioner and further chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M., Gaya, in connection with Barachatti P.S. Case No. 62 of 2016, 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.)**

Rajiv/-

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