

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47767 of 2016

Arising Out of PS.Case No. -321 Year- 2015 Thana -FATEHPUR District- GAYA

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Bachu Yadav S/o Late Rupdeo Yadav resident of Village- Sarang Pur,
P.S.- Guraru, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 05-12-2016 Heard the counsel for the petitioner and the State.

The petitioner prays for bail in Fatehpur P.S. Case No. 321 of 2015 registered under sections 307,384 & 386 IPC read with diverse penal provisions of the Arms Act.

On an information that some Naxalites had assembled, the informant rushed to the place of occurrence where stiff resistance was offered by a group of people gathered there inasmuch as there were numerous exchange of firings.

It is stated that subsequently one Sukay Mandal was apprehended who made a confession naming 09 person which does not include the petitioner. On a suspicion the police made several raids in the house of the petitioner whereafter the petitioner on his own surrendered before the Superintendent of Police on 10.11.2015 and since then he is languishing in jail.



Learned counsel for the State, on the other hand, submits that there are few criminal cases pending against the petitioner from before. It was a case where several firings were resorted to by the accused persons who had assembled at a particular place.

Considering the general and omnibus allegation levelled in the FIR as also the fact that the co-accused Sukay Mandal who made a confession not naming the petitioner, has been released on bail, the Court is inclined to grant the petitioner above named the privilege of bail. Let him be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ADJ-IVth Gaya in Fatehpur P.S. Case No. 321 of 2015 (Tr. No. 397/16/274/16) on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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