

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50799 of 2015

Arising Out of PS.Case No. -159 Year- 2015 Thana -JHAJHA District- JAMUI

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1. Pramod Kumar Yadav, Son of Kishun Yadav, Resident of Village-Baliyadih, P.S.- Jhajha, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. S.D.Singh Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 08-01-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Jhajha P.S. Case No. 159 of 2015 registered for the offences punishable under Sections 34 of Explosive Substance Act and Sections 16, 17, 18, 19, 20, 21 and 22 of the U.A.P. Act.

Allegedly two pieces of neogel 901 explosive and one electronic detonator were recovered from possession of the petitioner.

Submission is of false implication and that the petitioner has been made the victim of the circumstances, nothing has been recovered from his conscious possession. Several persons filed petition regarding false implication of the petitioner before Superintendent of Police, Jamui vide Annexure-2, the petitioner has not confessed anything before the police, seizure-list witnesses

are police personnel, no offence under Section U.A.P. Act is made out, the petitioner is student, having no criminal antecedent and he is suffering in custody since 06.09.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail

In the facts and circumstances stated above, considering that the petitioner has not go criminal antecedent and he by remaining in custody at present has been sufficiently penalized and, as such, 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 C.J.M., Jamui arising out of Jhajha P.S. Case No. 159 of 2015 subject to the conditions that one of the bailors must be 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.

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(Jitendra Mohan Sharma, J)