

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11896 of 2016

Arising Out of PS.Case No. -21 Year- 2015 Thana -ADHAURA District- BHABHUA (KAIMUR)

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1. Narad Yadav Son of late Chirkut Yadav R/o Village Kehsraura Khurd,
PS Ashoura, District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. M. Rab , APP

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

3 02-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Adhoura P.S. Case No. 21 of 2015 registered for the offences
punishable under Sections 307, 353 of the Indian Penal Code,
Section 27 Arms Act and Section 12 C.L.Act.

Allegedly, 4-5 persons were seen going with arms
and when the police personnel went there, the miscreants
opened fire but further, one of them namely, Sheopujan
Kharwar @ Kundan Singh was apprehended and others
succeeded in fleeing away and Sheopujan Kharwar @ Kundan
Singh stated the name of the petitioner and others.

Submission is of false implication and that the
petitioner was not apprehended at the spot, nothing has been

recovered from his conscious possession, his name was taken by co-accused which has got no evidentiary value in the eye of law, similarly situated co-accused Birendra Kharwar @ Mukhiya has already been allowed bail and the petitioner is suffering in custody since 01.08.2015.

The learned A.P.P. submits that the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, the petitioner, above named, is also 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 Additional Session Judge-6, Kaimur at Bhabua in connection with Session Trial No. 398/319 of 2015 arising out of Adhaura P.S. Case No. 21 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.

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(Jitendra Mohan Sharma, J)