

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27973 of 2016

Arising Out of PS.Case No. -5 Year- 2013 Thana -NAWINAGAR District- AURANGABAD

Dharmendra Yadav @ Joker, S/o Kameshwar Yadav, R/o Vill Bel Bigha,
P.S. Mali, District Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 15-07-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Nabinagar P.S. Case No. 5 of 2013 registered under Sections 147,
148, 149, 506, 384, 353 and 307 of the Indian Penal Code,
Sections 25(1-B)A, 26, 27 and 35 of the Arms Act and Section 17
of the CLA Act.

The accusation is that on receiving secret information
about making firing by the extremists in the village Koiladih
reached there and surrounded the village. When the police party
searched then the extremists succeeded to flee away taking
advantage of fog by making firing. In course of search, one
blanket, mobile set and one rifle with magazine containing four

cartridges were recovered near the temple. On query, villagers disclosed the name of seven persons including the petitioner, who came in the village and after taking dinner moved by making firing in front of the house of Nandu in the evening.

Learned counsel for the petitioner submits that petitioner has not been caught hold at the spot and nothing has been recovered from his possession. It is further submitted that petitioner is accused in two other cases due to that reason his name has been surfaced in this case, while in both cases petitioner is on bail. It is further submitted that similarly situated co-accused, Shankar Yadav, has already been granted privilege of bail by a Bench of this Court vide order dated 10.12.2013 passed in Criminal Misc. No. 46651 of 2013.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurngabad, in connection with Nabinagar P.S. Case No. 5 of 2013. Out of two sureties, one surety must be the close relative of the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to

remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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