

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41940 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -AKBARNAGAR District- BHAGALPUR

Prasant Kumar Yadav @ Sajan Yadav @ Sajan Kumar @ Prasant Kumar
Son of Daso Prasad Resident of Village -Sardarpur, P.S- Madhusudanpur,
District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party : Mr. Sri Nawal Kishore Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Akbarnagar P.S Case No. 41 of 2016 registered for the offences
punishable under Sections 386 & 387 of the Indian Penal Code.

Allegedly, two motorcycle borne criminals at the
point of pistol took petrol of Rs. 500/- as ransom after pointing out
pistol from the informant, but in the meantime, patrolling party of
Akbarnagar police station came there and after chase they
apprehended the petitioner and other co-accused and from
possession of the petitioner two cartridges were recovered whereas
from the possession of co-accused pistol was recovered.

It is submitted that in Arms Act the petitioner has

been granted bail and in this case the petitioner is in custody since 28.04.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

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

In the facts and circumstances stated above, considering the detention of the petitioner and further that there is no chance of tampering with the prosecution evidence and, as such, 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 learned A.C.J.M.-I, Bhagalpur, in connection with Akbarnagar P.S. Case No. 41 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.)

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