

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54349 of 2016

Arising Out of PS.Case No. -310 Year- 2016 Thana -SHERGHATI District- GAYA

=====

Anil Kumar, son of Satyendra Yadav, resident of village - Dewania, P.S.
Barachatti, Dist - Gaya. Petitioner

Versus

The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party : Mr. Rajendra Singh Shastriji (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sherghati P.S Case No. 310 of 2016 registered for the offence punishable under Section 414 of the Indian Penal Code and Section 25(1-B)a/36/35 of the Arms Act and Section 17 of C.L.A. Act.

Allegedly, three persons were caught and from possession of the petitioner also one loaded country made *katta* and one other cartridge and Nokia mobile were recovered and they confessed that they are the active members of extremists organization PLFI.

Submission is of false implication and that nothing has been recovered from conscious possession of the petitioner, the petitioner without any fault is suffering in custody since 05.07.2016, the petitioner has been made victim of police



atrocities, the mandatory provision of law has not been complied with and, as such, the petitioner deserves sympathetic consideration.

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

In the facts and circumstances stated above, **the petitioner shall be released after completion of 06 (six) months in custody from the date of remand in this case** 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., Sherghati, district- Gaya, in connection with Sherghati P.S. Case No. 310 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.)

Rajiv/-

U		T	
---	--	---	--

