

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12575 of 2016**

Arising Out of PS.Case No. -100 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

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1. Ajeet Yadav @ Ajeet Kumar Yadav @ Ajeet Kumar S/o Mahendra Yadav resident of village - Sukhashani, P.S. Bakhtiyarpur, District – Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Rajesh Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2      28-03-2016                      Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 392, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner is not named in the first information report and it appears from perusal of the impugned order that he was remanded in this case on 29.06.2015 from another case.

Learned counsel appearing for the petitioner submits that name of petitioner came in confessional statement of co-accused, Narad Yadav, who has already been granted privilege of bail by the learned court below itself but the court below rejected

the prayer for bail of the petitioner without taking note of the aforesaid facts. It is further submitted by him that petitioner has been remanded in some other cases which have been described at para-3 of the petition.

From perusal of Annexure-2 to this petition, it appears that co-accused, Narad Yadav was granted privilege of bail by the learned court below vide order dated 14.07.2015 but even then the same court rejected the prayer for bail of the petitioner without taking note of the aforesaid fact and without giving any specific reason.

Moreover, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 100 of 2015.

However, the learned court below is warned to be more cautious and vigilant while disposing of bail applications.

**(Hemant Kumar Srivastava, J)**

SHAHZAD/-

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