

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14444 of 2016

Arising Out of PS.Case No. -88 Year- 2012 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Amit Kumar Yadav @ Salman son of Rajendra Yadav, resident of Village-
Said Nagar, Abhanda, Police Station- Laheriasarai and District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Asha Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 07-04-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections 302 and other allied Sections of the Indian Penal Code
and Section 27 of the Arms Act.

Petitioner is not named in the first information report
in which informant claimed to have seen three F.I.R. named
accused fleeing from the place of occurrence and at that time,
F.I.R. named accused Mithu Singh was carrying pistol in his hand.
In course of investigation, one Sita Ram Paswan was arrested and
confessed his guilt disclosing the involvement of the petitioner in
the alleged crime and thereafter, petitioner was arrested in this
case and remanded on 24.1.2014 and since then he is languishing

in jail custody, but from perusal of the impugned order, it would appear that up till now charge could not be framed against the petitioner. Moreover, co-accused Sita Ram Paswan has already been granted privilege of bail.

No doubt, petitioner carries criminal antecedent of several cases but in the present case, except the confessional statement of co-accused Sita Ram Paswan, there appears to be nothing against him.

Accordingly, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge, Darbhanga in connection with Sessions Trial No.16 of 2014 arising out of L.N.M.U. P.S. Case No.88 of 2012, subject to the condition that he shall attend the trial court on each and every date in person for the period of nine months or till conclusion of his trial whichever is earlier and if he fails to appear before the trial court on two consecutive dates without any reasonable cause, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Hemant Kumar Srivastava, J)

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