

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37460 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana –SRINAGAR Pujahan District-
WESTCHAMPARAN(BETTIAH)

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Chhath Yadav @ Chhotu Yadav @ Shardanand Yadav @ Nanki Yadav Son
of Bhola Yadav Resident of village - Parbatiya Tola Police Station Bettiah
Muffasil, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 08-11-2016 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 387, 414, 120B/34 of the
Indian Penal Code and Sections 25(1-B)A, 26 of the Arms Act.

One pistol and six cartridges are said to have been
recovered from conscious possession of the petitioner while
petitioner and one other accused allegedly, were going to collect
extortion money. Petitioner is in jail custody since 12.03.2016.
The learned Additional Sessions Judge has mentioned in the
impugned order that at para-67 and 68 of the case diary, the
criminal antecedent of the petitioner has been mentioned but from

perusal of both the aforesaid paragraphs, I find that investigating officer did not mention the criminal antecedent of the petitioner. However, a supplementary affidavit has been filed on behalf of the petitioner and in the said supplementary affidavit, it has been mentioned that prior to institution of this case, only two cases i.e. Bettiah Muffasil P.S. Case No. 249 of 2010 registered for the offences punishable under Sections 341, 323, 452, 427, 379, 504/34 of the Indian Penal Code as well as Bettiah Muffasil P.S. Case No. 250 of 2010 registered for the offences punishable under Sections 341, 323, 448, 379/34 of the Indian Penal Code had been lodged against the petitioner.

Considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, 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, Bettiah, West Champaran in connection with Shrinagar Pujahan P.S. Case No. 15 of 2016.

(Hemant Kumar Srivastava, J)

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