

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37363 of 2016

Arising Out of PS.Case No. -162 Year- 2000 Thana -KHAGARIA District- KHAGARIA

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Mithilesh Yadav @ Rajesh Yadav @ Munna Yadav, Son of Degan Yadav.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 08-09-2016 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 399, 402 of the Indian Penal
Code and Sections 25(1-B)A, 26, 35 of the Arms Act.

It is a case of misuse of privilege of bail for near
about 14 years and petitioner could be arrested by the police on
the strength of permanent warrant issued against him. The conduct
of the petitioner goes to show that if he is released from custody,
again the trial of the petitioner may hamper.

Therefore, considering the aforesaid facts and
circumstances as well as submissions of the parties, I am not
inclined to release the petitioner on bail, at least, at this stage and
hence, his prayer for bail in connection with Khagaria P.S. Case

No. 162 of 2000 corresponding to S.C. No. 101 of 2012 pending in the court of learned Additional Sessions Judge-IV, Khagaria stands rejected.

However, if the trial of the petitioner is not concluded within six months from the date of receipt/production of copy of this order, the petitioner may renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

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