

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3836 of 2016

Arising Out of PS.Case No. -217 Year- 2014 Thana -TEKARI District- GAYA

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Rahul Kumar Yadav @ Rahul Kumar Son of Naresh Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2016 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 03.08.2014 in a case registered for the offences punishable under sections 414 of the Indian Penal Code and 25(1-B)a, 26 of the Arms Act.

Earlier petitioner's prayer for bail was rejected by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.6802/2015 but since the said Bench, who passed the earlier order, is not available due to medical exigency, the matter has been listed before this Court in view of the administrative order dated 09.03.2016 of Hon'ble the Acting Chief Justice.

The prosecution case is that the petitioner was apprehended on chase and from his possession one loaded

country-made pistol with live cartridges and a motorcycle were recovered but the petitioner did not produce any paper with regard to ownership of the vehicle.

It is submitted by learned counsel for the petitioner that petitioner is in custody since 03.08.2014. Though the petitioner is accused in six other cases registered under sections 392 and 395 of the Indian Penal Code but earlier prayer for bail was rejected with a liberty to renew the prayer for bail after remaining in custody for nine months.

Considering the above facts, let the above named petitioner 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 learned Judicial Magistrate, 1st Class, Gaya in connection with Tekari P.S. Case No.217/2014.

Since the petitioner has serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of the petitioner positively, if he defaults for two consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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