

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2826 of 2017

Arising Out of PS.Case No. -43 Year- 2010 Thana -CHAUTHAM District- KHAGARIA

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1. Chhabila Yadav Son of Late Tikuli Yadav, Resident of Village-Amni,
P.S.-Mansi, District-Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Poddar Suresh Gandhi

For the Opposite Party/s : Mr. Amitesh Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-02-2017 The petitioner is in custody since 25.10.2016 in connection with Chautham P.S. Case No. 43 of 2010, registered for offences punishable under Sections 147, 148, 149, 353, 307 and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated in the present case and also the falsity of the present case will appear from the fact that it is alleged that petitioner and other co-accused persons made 300 rounds of firing, however no one has received any injury from the said firing and so far as criminal antecedent of the petitioner is concerned, he is on bail in all other cases. It has further been submitted that petitioner has been in custody since 04.08.2016 and he has been remanded in this case on 25.10.2016 and the petitioner



has been declared absconder without having any fault on his part.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that the petitioner has been declare absconder in this case, at this stage, I am not inclined to grant him, the privilege of regular bail, it is accordingly rejected.

However, once the charges are framed in this case, the petitioner may renew his prayer for bail before the court below itself, which will be decided by the court below on the merit of the case, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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