

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4554 of 2017

Arising Out of PS.Case No. -164 Year- 2015 Thana -SALKHUA District- SAHARSA

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Dinesh Yadav Son of Yugeshwar Yadav Resident of Village Chanan P.S.
Salkhua, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 08-03-2017

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks bail in Salkhua P.S. Case
No. 164 of 2015 instituted for the offence under Section(s) 147,
148, 149, 307, 353 of the Indian Penal Code and Sections 25(1-
B)a/26/27/35 of the Arms Act.

It is alleged that one 30 MI bore country made
loaded riffle and 81 cartridges kept in Bindolia was recovered
from the possession of the petitioner.

It has been submitted that petitioner is in
custody since 04.08.2015.

A report was called for from learned 1st
Additional Sessions Judge, Saharsa about the present stage of
Sessions Trial No. 19 of 2016 vide order dated 17.02.2017 which
has been received. The Court below has stated that even charge



has not been framed in this case till date.

It has further been submitted that other accused with similar allegation has been granted bail by a coordinate Bench of this Court vide Cr. Misc. No. 10075 of 2016 on 03.03.2016.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Assistant Additional Sessions Judge, Saharsa in connection with Sessions Trial No. 19 of 2016, arising out of Salkhua P.S. Case No. 164 of 2015, subject to the conditions that both the bailors shall be the close relative of the petitioner.

The petitioner will remain present in the Court below on each and every date till final disposal of the trial and he will not cause tampering of the witnesses or delay in trial. The absence of the petitioner in lower court on two subsequent dates will give liberty to the lower court to cancel the bail bonds of the petitioner.

(Sanjay Priya, J)

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