

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32718 of 2017

Arising Out of PS.Case No. -20 Year- 2013 Thana -PAUTHU District- AURANGABAD

=====

Awadhesh Yadav @ Shambhu Yadav, Son of Doman Yadav, resident of
Village Mujhara, P.S.- Goh District- Aurangabad (Bihar).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ranjit Kumar, Advocate

For the Opposite Party : Smt. Meena Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is seeking regular bail in connection with
Pauthu P.S. Case No. 20 of 2013, registered for the offence
alleged under Sections 147,148,149,341,323,379 and 435 of the
Indian Penal Code, Section 27 of Arms Act, Section 17 of C.L.A.
Act and 10 Unlawful Activities (prevention) Act.

Learned counsel for the petitioner submits that in the
First Information Report there is an allegation of burning a JCB
Machine and of snatching away two mobile phones, Pan Cards,
ATM Cards and sum of Rs.7000/- from the informant and his
friend, however the petitioner is not named in the First
Information Report. There is no recovery from the petitioner and
the implication of the petitioner is only on the basis of suspicion. It



is further submitted that in paragraph-3 of the application the petitioner has stated about the past history and on perusal of the same shows that seven cases out of eight relates to the period 1992 to 1997 and one case is of the year 2003. In all those cases, the petitioner has been granted bail by the court. It is because of this on suspicion, the petitioner has been arrested and is in custody since 16.05.2016. Learned counsel further submits that on perusal of Annexure-2, it shows that similarly situated accused has been granted regular bail vide order dated 25.04.2016 in Cr. Misc. No. 9012 of 2016 by a Co-ordinate Bench of this Court.

Learned APP opposed the prayer for bail. However save and accept what is available on the record, no significant material could be produced.

In the facts and circumstances, let the petitioner, namely, Awadhesh Yadav @ Shambhu Yadav be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Pauthu P.S. Case No. 20 of 2013, subject to the conditions U/s 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J.)

ravi/-

U			
---	--	--	--

