

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35542 of 2017

Arising Out of PS.Case No. -182 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

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Phidu Yadav, son of Sri Ram Barat Yadav, resident of Village- Hichhan Bigha, Police Station- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 08.04.2017 in connection with Daudnagar P.S. Case No. 182 2015 for offence punishable under Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

The prosecution case, as lodged by the police personnel, is that on information that petrol pump has been looted, the police conducted a chase and one of the co-accused, Rajesh Yadav was apprehended, who disclosed the name of the petitioner along with other associate, Amit Yadav and from the possession of Rajesh Yadav, a pistol, live cartridge and mobile were recovered.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case on the basis of confessional statement of co-accused before the police, which has no evidentiary value in the eye of law. He submits that nothing has been recovered from his conscious possession and that the apprehended co-accused has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 36358 of 2016 on 21.11.2016.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is involved in as many as four cases from before and some are of very serious nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Sub-Divisional Judicial Magistrate, Daudnagar, District Aurangabad in connection with Daudnagar P.S. Case No. 182 2015, subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned court below as and when required and failure to



appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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