

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43810 of 2017

Arising Out of PS.Case No. -184 Year- 2015 Thana -KHAIRA District- JAMUI

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Bishundeo Yadav Son of Daro Yadav, R/o Village- Manjhiyani, P.S.-
Khaira, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kartik Kumar Sinha

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 13-09-2017 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 25(1-b)a, 26 of the Arms Act,
Section 3/4 of Explosive Substance Act and various sections of
U.A.P. Act.

No doubt, in huge quantity firearms, detonators and
jiletines are said to have been recovered from the house of the
petitioner and earlier his prayer for bail was thrice rejected by this
court but admittedly, while rejecting the bail petition of the



petitioner on 10.05.2017 in Cr. Misc. No. 14499 of 2017, this court gave liberty to petitioner to approach this court, if the concerned investigating officer is not examined by the prosecution within three months from the date of receipt/production of a copy of aforesaid order.

Learned counsel for the petitioner submits that aforesaid order dated 10.05.2017 passed in Cr. Misc. No. 14499 of 2017 was received in the lower court on 23.05.2017 and till 18.08.2017 the concerned investigating officer could not be examined.

Petitioner is in jail custody since 16.08.2015 and does not have any criminal antecedent.

It appears that earlier the trial court had reported that concerned investigating officer was seriously injured and was getting treatment. The trial court had further reported that due to aforesaid fact, the investigating officer could not be examined. Therefore, it appears that up till now, the concerned investigating officer could not regain his health and there is no possibility of conclusion of trial of the petitioner in near future.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of Chief
Judicial Magistrate, Jamui in connection with Khaira P.S. Case
No. 184 of 2015.

(Hemant Kumar Srivastava, J)

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