

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55682 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -PALI District- JEHANABAD

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Samundar Yadav, Son of Late Kameshwar Yadav, Resident of Village-
Golakpur, P.S.- Pali, Distt. Jehanabad. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Pali P.S. Case
No. 09 of 2016 registered for the offences punishable under
Sections 399, 402, 353, 307 of the Indian Penal Code and Section
27 of the Arms Act.

The Police, on receiving secret information about gathering
of miscreants at the house of Suday Prasad Yadav, reached there,
surrounded the house from where four persons were arrested and
arms, ammunitions, cash and Naxal literature were also seized.
They disclosed the name of the petitioner also that he and others
succeeded in fleeing away.

Submission is of false implication and that alleged
confessional statement of co-accused made before the Police has
got no evidentiary value in the eye of law, without any cogent and



sufficient material the petitioner is suffering in custody since 22.08.2016, co-accused Syamdeo Mochi who was caught with Rs.10,000/- and naxal literature has already been allowed bail vide Cr. Misc. No. 27793 of 2016 by another co-ordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration to which learned APP submits that the petitioner's name has come in the confessional statement.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Namita Singh, Sub-Judge III/concerned Court, Jehanabad in connection with Pali P.S. Case No. 09 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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