

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49254 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -KATORIYA District- BANKA

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Shyam Yadav S/o Sri Naresh Yadav Resident of Village- Rikhiya Rajdah,
Police Station- Katoriya, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bindhya Keshri Kumar, Sr.Adv.
Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 18-01-2017 Heard Sri Bindhya Keshri Kumar, learned senior
counsel assisted by Sri Ajay Mukherjee, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The petitioner, who is in custody in connection with
Sessions Trial No. 251 of 2016, arising out of Katoria P.S. Case
No. 84 of 2016, for offence under Sections 25(1-b)a, 26, 35 of the
Arms Act, 1959 and Section 57 of the Excise Act, has prayed for
grant of bail. The petitioner is in custody since 04-05-2016.

Earlier, petitioner's prayer for bail was rejected by
this Court, vide order dated 16-08-2016 passed in Cr. Misc. No.
31916 of 2016, granting liberty to renew the prayer for bail after
completion of six months.

In this case, a report was also called for from the court



below by order dated 23-11-2016, which has been received and kept at flag 'A'. The report dated 01-12-2016 suggests that till the date of report, even charge was not framed.

Considering the observation given by this Court for renewal of prayer for bail after six months by its order dated 16-08-2016 passed in Cr. Misc. No. 31916 of 2016 as well as the fact that till the date of report of court below even charge has not been framed, there is no reason to further detain the petitioner.

Let the petitioner namely Shyam Yadav 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 4th Addl. Sessions Judge, Banka in connection with Sessions Trial No. 251 of 2016 (arising out of Katoriya P.S. Case No. 84 of 2016).

(Rakesh Kumar, J.)

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