

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22360 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -PAROO District- MUZAFFARPUR

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1. Umesh Kumar Yadav @ Abhimanyu S/o Late Narayan Yadav Resident of Village- Kheriya, P.S.- Mursaila, District- Katihar. At present resident of Mohalla- Gayatri Nagar, West P.S. Jamalpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 27-07-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in custody since 18.02.2017 in connection with Paroo P.S. Case No. 13/17 for offences punishable under Section 414 of the Indian Penal Code, Sections 25(1-b) a, 26, 35, 25(1-A), 25(1-AA), 25(1-AAA) of the Arms Act, ¾ of the Explosive Substance Act and Sections 16, 17, 18, 18(A), 19, 20, 21 of the U.A.P. Act.

The prosecution case, as lodged by the police personnel, is that they received a secret information that Naxal organization has convened a meeting in the Panchayat Bhawan of village Karnpura Bhatauliya. When the police officials along with



ASP and STF arrived at Panchayat Bhawan, they apprehended six persons but other co-accused managed to flee away.

It has been submitted by the learned counsel for the petitioner that he is innocent, not apprehended by the police and his name surfaced on the basis of confessional statement of the apprehended co-accused. He submits that the apprehended co-accused has been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 22793 of 2017 and another co-accused named on the confessional statement of the apprehended co-accused has also been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 22936 of 2017 on 23.05.2017. He submits that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

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 Sessions Judge cum Special Judge, Muzaffarpur, in connection



with Paroo P.S. Case No. 13/17, subject to the condition that one of the bailors would be a close relative of the petitioner, who would have sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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