

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54226 of 2016

Arising Out of PS.Case No. -95 Year- 2016 Thana -JAHANABAD District- JEHANABAD

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1. Shyamdeo Mochi S/o Late Nathun Mochi, Resident of Village- Firoji,
P.S.- Kako, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj

For the Opposite Party/s : Mr. Sri Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is in custody since 15.09.2016 in connection
with Jehanabad (Karauna) P.S. Case No. 95 of 2016 registered under
Sections 435, 427, 385/34 of the Indian Penal Code and Section 16, 18,
20, 21, 22 of the U.A.P. Act, 1967.

3. According to the prosecution, when the construction work
of road of village-Seonan was going on, 14-15 unknown persons came
there with deadly weapons and put the excavator on fire and fled away.

4. Learned counsel for the petitioner has submitted that the
entire First Information Report has been lodged against unknown
persons. No specific allegation is leveled against this petitioner. Merely
on the confessional statement of co-accused, the name of this petitioner
has come to the picture in order to harass this petitioner on account of



criminal antecedent, which has no evidentiary value in the eye of law. Nothing incriminating has been recovered from the possession of this petitioner. Though the petitioner is involved in other cases, but he has been on bail, which is clearly evident from paragraph-3 of this application. Moreover, the co-accused, Samundar Yadav, having more or less similar allegation, has been granted bail by this Court vide order dated 21.12.2016 in Cr. Misc. No. 45108 of 2016.

5. Considering the facts and circumstances of the case and the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad, in connection with Jehanabad (Karauna-O.P.) P.S. Case No. 95 of 2016.

(Arvind Srivastava, J)

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