

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54957 of 2016

Arising Out of PS.Case No. -62 Year- 2016 Thana -BARACHATTI District- GAYA

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1. Birendra Yadav @ Virendra Yadav Son of Bardho Yadav Resident of
Village - Bumer, P.S. - Barachatti, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Barachatti PS case no. 62 of 2016 for the offence under
Sections 394 of the Indian Penal Code.

It is submitted on behalf of petitioner that in this
case, petitioner and other co-accused were arrested and on the
basis of their confessional statements, bunch of key had been
recovered. It has also been submitted that as a matter of fact
petitioner was arrested and country made pistol and other articles
were recovered for which separate case has been lodged bearing
Barachatti PS case no. 80 of 2016 and in that case, he has been
released on bail and he has been remanded in this case on



26.05.2016 and since then, he is in custody.

Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail and submitted that bunch of key has been identified by informant in this case and petitioner has criminal antecedent being accused in two other cases.

Having heard both sides. It appears that so far recovery of pistol and other articles are concerned, for which Barachatti PS case no. 80/2016 had been lodged and so far this case is concerned, the recovery is on the basis of confessional statement of three accused persons including the petitioner and also in view of the fact that petitioner is in custody since 26.05.2016, the bail application of petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Sherghati, Gaya in connection with Barachatti P.S. case no. 62 of 2016 with a condition that bailors should have the property within the jurisdiction of learned court below with further condition that he will cooperate in the disposal of the trial and petitioner make himself available on each and every date, his failure to appear on two consecutive dates before the learned court below will make him liable for cancellation of his bail bonds.



With these observations, this bail application is
allowed.

(Vinod Kumar Sinha, J.)

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