

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.519 of 2017

Arising Out of PS.Case No. -117 Year- 2016 Thana -DULHIN BAZAR District- PATNA

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1. Binod Kumar Yadav Son of Jai Mangal Singh Resident of Village-
Islampur, P.S. Masaurhi, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
30.06.2016 in connection with Dulhin Bazar P.S.Case No. 117 of
2016 registered for the offence punishable under Sections 341,
323, 307, 353, 504, 34 of the Indian Penal Code and Sections 25
(1-b)a, 26, 27 and 35 of the Arms Act and Sections 16,17, 18 and
20 of U.A.P.A., 1967.

The prosecution case is that the police personnel on
secret information from I.G. Police, went to Dulhin Bazar market
and found one person standing in a mysterious way and threatened
the police personnel. The said co-accused, Laldas Mochi @
Mukesh Ravidas fired on the police personnel and the petitioner



was found standing besides him and on search, one country made katta and two cartridges of .315 bores have been recovered from the possession of the petitioner.

It has been submitted by the learned counsel for the petitioner that he is innocent and there is no criminal history and is not a member of the Naxalite group. He submits that no overt act has been committed by him and charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- III, Danapur in connection with Dulhin Bazar P.S. Case No. 117 of 2016 with a condition that one of the bailors would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station and the petitioner is directed to appear before the learned Court below on each and



every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bond.

(Nilu Agrawal, J)

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