

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10636 of 2017

Arising Out of PS.Case No. -243 Year- 2016 Thana -SAHPUR District- BHOJPUR

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Umesh Yadav Son of Late Shiv Kashi Yadav, Resident of Village- Sri Rampur, P.S. Krishna Braham, District- Buxar..... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Sahpur (Karnamaypur) P.S. Case No. 243 of 2016 registered for the offence punishable under Section 395 of the Indian Penal Code.

Allegedly, when the informant was returning to his house along with his brother after collecting money from the customers, two persons pointed pistol on them, at the same time 10-12 other criminals also came there and all the accused persons looted away Rs. 10 lakhs.

Submission is of false implication and that the petitioner is not named in the first information report, the police apprehended the petitioner only on the basis of confessional statement of Timil Yadav, nothing has been recovered from conscious possession of the petitioner, he has not been put on test identification parade and



without any fault he is in custody since 23.11.2016 whereas other co-accused have been allowed bail namely, Timil Yadav and Dhanjee Paswan by different co-ordinate Benches of this Court and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that co-accused Timil Yadav and Dhanjee Paswan have been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XIV, Bhojpur, Ara in connection with Sahpur (Kanameypur) P.S. Case No. 243 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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