

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28534 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -ALOU LI District- KHAGARIA

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1. Hitesh Kumar Yadav @ Shyam Yadav S/o Maharana Pratap Yadav @ Rana Pratap Yadav, Resident of Village-Chukti, P.S.-Mansi, District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Adv.
For the Opposite Party/s : Mr. Sri Ashok Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Allouli P.S. Case No. 51 of 2017, registered for the offences punishable under Section 399, 402 of the Indian Penal Code.

Learned counsel for the petitioner submits that on bare perusal of the First Information Report and the seizure list attached therewith, it would appear that the allegation against the petitioner is possessing of a country-made pistol with four live cartridges and the police party raided the alleged place of occurrence. Learned counsel submits that although there are three more cases against the petitioner as stated in para 3 of the application but in those cases the petitioner has been granted



regular bail by the Court. Referring to Annexure-2 of the present application, learned counsel has attempted to show a prima facie false case inasmuch as he submits that the implication of the petitioner in the present case is because of the filing of the complaint case no. 128 (C) of 2015 by the uncle of the petitioner against the police officer who is one of the members of the raiding party. He submits that the said case was lodged by the uncle of this petitioner in which the mother and the father of the petitioner are the witnesses, and trial is going on, therefore, in order to put pressure upon whole family the petitioner has falsely been implicated in the present case.

Heard, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Allouli P.S. Case No. 51 of 2017, subject to condition, as laid down under Section 437(3) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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