

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44473 of 2017

Arising Out of PS.Case No. -50 Year- 2017 Thana -GURARU District- GAYA

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1. Mahendra Yadav @ Gariban Yadav son of Late Chhatan Yadav, Resident of Village- Rukunpur, Mathia, P.S. Guraru, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Guraru P.S.Case No.50 of 2017 registered for offences punishable under Sections 386, 387 and 120B of the Indian Penal Code and Section 25 (1-b)a, 26 and 35 of the Arms Act and Section 13, 16, 18 and 20 of Unlawful Activities (Prevention) Act and Section 17 of the C.L.A. Act.

Allegation against the petitioner, as per FIR, is that the police raided the place in suspicion of the Maoist and from there one co-accused has been arrested and from his possession, one loaded pistol has been recovered. It further appears that he is accused in one more case.

Submission of the learned counsel for the petitioner is that



nothing has been recovered from his possession and he is in custody for about four months. Further submission is that though he is accused in one more case but the case is under Section 323, 341 and 504/34 of the IPC.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. 5th, Gaya in connection with Guraru P.S.Case No.50 of 2017 dated 17.5.2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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