

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41881 of 2017

Arising Out of PS.Case No. -121 Year- 2017 Thana -FATUHA District- PATNA

=====

1. Jaiki Kumar Yadav, Son of Siyaram Prasad Yadav @ Siyanand Singh,
Resident of Village- Dost Mohhamadpur, P.S.- Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
18.04.2017 in connection with Fatuha P.S. Case No. 121 of 2017
for offences punishable under Sections 399, 402 of the Indian
Penal Code and Sections 25(1-B)A, 26 and 35 of the Arms Act.

The prosecution case, as lodged by the police personnel
is that on secret tip of that some of the criminals are planning loot,
police raided a tea shop and 4-5 persons were standing there, after
seeing the police, tried to flee away but the police apprehended
four persons including the petitioner while one managed to flee
away and from possession of the petitioner one 8 mm live
cartridge was recovered while from the possession of other
accused persons cartridges and pistol were recovered.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that no overt act has been committed and charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st class, Patna City, in connection with Fatuha P.S. Case No. 121 of 2017 subject to the condition that one of the bailors would be a close relative of the petitioner. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

sushma/-

U		T	
---	--	---	--

