

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54266 of 2016

Arising Out of PS.Case No. -270 Year- 2016 Thana -KATORIA District- BANKA

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1. Ghanshyam Yadav Son of late Manohar Yadav Resident of Village-
Bela, P.S.- Belhar, District- Banka Petitioner

Versus

1. The State of Bihar Opposite Party

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With

Criminal Miscellaneous No.55281 of 2016

Arising Out of PS.Case No. -270 Year- 2016 Thana -KATORIA District- BANKA

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1. Prakash Yadav @ Parna, son of Bhuneshwar Yadav, resident of Village-
Bela, P.S.- Belhar, District- Banka Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

(In Cr.Misc. No.54266 of 2016)

For the Petitioner : Mr. Praveen Kumar, Adv.

For the Opposite Party : Mr. Ram Sevak Choudhary, APP 53

(In Cr.Misc. No.55281 of 2016)

For the Petitioner : Mr. Brij Nandad Prasad, Adv.

For the Opposite Party : Mrs. Nirmala Kumari, APP 167

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

4 27-03-2017

Heard the learned counsel for the petitioners
and the State.

This is a petition for grant of regular bail for
offence under Section 395 of the Indian Penal Code.

The first information report is against
unknown. Name of the petitioners transpired in the
confessional statement of the co-accused and, thereafter,
the petitioners also confessed before the police.

However, submission of the petitioners is that
nothing incriminating has been recovered from the
possession of the petitioners. The petitioner, Ghanshyam
Yadav, is in custody since 07.10.2016 and petitioner,
Prakash Yadav @ Parna, is in custody since 08.10.2016.

Submission of the petitioners is that charge
sheet has already been submitted in this case not for



offence under Section 395 of the Indian Penal Code rather for offences under Sections 147, 148, 149, 307 and 427 of the Indian Penal Code, 30, 39 and 40 of the UAPA of the Act and 17 of the Criminal Law Amendment Act.

Considering the aforesaid fact especially the fact that there is no substantial material against the petitioners, above named, they are directed to be released on bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each in connection with **Katoriya (Suia) P.S. Case No. 270 of 2016** to the satisfaction of **Sri Surendra Prasad, Additional Chief Judicial Magistrate, Banka**, or successor Court with the conditions that both the bailors shall be local residents having immovable property within the territorial jurisdiction of the Court below and the petitioners shall fully cooperate with the investigation/trial of the case, failing which the Court below shall be at liberty to cancel the bail bond(s) of the petitioner(s).

(Birendra Kumar, J)

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