

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8586 of 2017

Arising Out of PS.Case No. -54 Year- 2010 Thana -MALI District- AURANGABAD

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1. Sanjay Yadav, S/o Late Birta Yadav @ Brita Yadav, R/o Village Bel Bigha, P.S. Mali, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 12-04-2017 Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

The petitioner seeks bail in connection with Mali P.S. Case No. 54/2010, registered for the offences punishable under Sections 147, 149, 323, 379, 435 and 427 of the Indian Penal Code as well as Section 17 of CLA Act & Section 3 & 4 of Explosive Substance Act.

Allegedly, unknown extremists damaged the brick kiln of the informant by exploding bomb and also set fire in the tractor of the informant. None was identified. During investigation, the confessional statement of co-accused Rajendra Singh was recorded, who stated the name of the petitioner also.

Submission is of false implication and that the petitioner has committed no offence. No Test Identification Parade has been



done. The petitioner has no manner of concern with any extremist group. The petitioner is not named in the FIR and only on the basis of alleged confessional statement of co-accused Rajendra Singh, the petitioner has falsely been implicated in the case. Rajendra Singh has already been granted bail vide B.P. No. 726/2010 and the case of the petitioner stands on better footing.

Learned A.P.P. opposes the prayer for bail by submitting that the petitioner has got criminal antecedent.

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 the learned Chief Judicial Magistrate, Aurangabad in connection with Mali P.S. Case No. 54/2010, subject to the conditions that one of the bailors must be 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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