

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25862 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -BARHARIA District- SIWAN

1. Ajay Yadav, son of Ram Pravesh Yadav, resident of Village- Bindwal Rasoolpur Tola, Ahirauli, P.S.- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 10.01.2017 in a case registered for offences punishable under Sections 399, 402 and 414 of the Indian Penal Code and Sections 25 (1-b) A, 26/35 of the Arms Act.

The prosecution case as lodged by the police personnel is that on a secret tip off that some criminals were planning to commit dacoity, they raided the thatched house of one Mira Manjhi and six persons were apprehended along with the petitioner and was found to be possessing one country made pistol and one cartridge.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. It is submitted that no other case is pending against



the petitioner of similar nature and a case under N.D.P.S. has been registered on the same date on the similar incident. It is further submitted that charge sheet has already been submitted hence there is no chance of tampering with the prosecution evidence. The petitioner undertakes to co-operate during trial.

However, learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstance of the case and materials on record , let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Barharia P.S.Case No. 06 of 2017, subject to the conditions that one of the bailors must be a close relative of the petitioner and have sufficient immovable property within the jurisdiction of the concerned police station / Court who will file an affidavit stating his relationship with the petitioner and that the petitioner is directed to appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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