

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19344 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -THAWE District- GOPALGANJ

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Jitendra Yadav son of Late Chandradeo Yadav Resident of Village -
Raghunathpur, Police Station - Jamo Bazar, District - Siwan.... Petitioner

Versus

The State of Bihar.

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Thawe P.S.
Case No. 121 of 2016 registered for the offences punishable under
Sections 399, 402, 414 of the Indian Penal Code and Sections
25(1-b)a, 26/35 of the Arms Act.

Allegedly, the petitioner and other co-accused were
apprehended when they have assembled to commit loot and from
possession of Saddam Ali and Ahmad Ali firearms were recovered
whereas from possession of the petitioner nothing was recovered
besides one white colour Scorpio and motorcycles.

Submission is of false implication and that in this case
similarly situated co-accused Chandeshwar Bhagat has been
allowed bail vide Cr. Misc. No. 52283 of 2016 by another co-
ordinate Bench of this Court and the petitioner is suffering in



custody since 11.09.2016 and as such the petitioner deserves sympathetic consideration.

Learned APP submits that co-accused Chandeshwar Bhagat has been allowed bail whereas prayer of bail of co-accused Saddam Ali has been rejected.

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 3rd Additional Sessions Judge, Gopalganj in Sessions Trial No. 70 of 2017 arising out of Thawe P.S. Case No. 121 of 2016, subject to the conditions that one of the bailors must be a 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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