

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38730 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- JALALPUR District- Saran

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Ajit Kumar Yadav S/o Late Rajendra Rai, R/o Vill.- Haini Dakshin Tola, P.S.-
Chapra, Muffasil, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.03.2018 in connection with Jalalpur P.S. Case No. 35 of
2018 for offences punishable under Section 414 of the Indian
Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case, as lodged by the informant
police personnel, is that on information that some villagers have
caught hold of miscreants while fleeing away snatching gold
chain, the police reached the place of occurrence and
apprehended the petitioner and one other. One of the miscreants
managed to flee away. On search the other accused was found in
possession of a loaded country-made pistol with live cartridges
and the petitioner was found to be in possession of one live
cartridge. A motorcycle was also found which was alleged to be



stolen one. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history although for the same occurrence Jalalpur P.S. Case No,. 34 of 2018 has been registered on the same day regarding the same occurrence under section 392 of the Indian Penal Code. He submits that charge-sheet has already been submitted and considering the period of custody a sympathetic consideration be given.

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 Addl. Chief Judicial Magistrate-IX, Saran at Chapra, in connection with Jalalpur P.S. Case No. 35 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

Rajesh/Pragya

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(Nilu Agrawal, J)

