

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53619 of 2018

Arising Out of PS.Case No. -46 Year- 2010 Thana -KONCH District- GAYA

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1. PAHALWAN @ MITHILESH YADAV @ MITHLESH YADAV Son
of Late Ramdhani Yadav, resident of Village- Chabura, Tola- Narainpur,
P.S. Anti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kiran Sinha

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-10-2018 The petitioner is in custody since 30.05.2018 in connection with Konch P.S. Case No. 46 of 2010, registered for offences punishable under Sections 147, 148, 341, 323, 504 of the Indian Penal Code, Section 151 of the Railways Act, Section 17 of the Criminal Law Amendment Act and Section 3/4 of the Explosive Substance Act.

Allegation of planting bombs in the railway track.

Petitioner is not named in the F.I.R., later on his name transpired during the course of investigation.

Submission of learned counsel for the petitioner is that the petitioner is not named in the F.I.R., later on his name transpired during the course of investigation and nothing has been recovered from the possession of the petitioner. Further



submission is that other co-accused having similar allegation has already been granted bail by a Coordinate Bench of this Court vide order dated 18.04.2017 passed in Cr. Misc. No. 10910 of 2017.

Heard learned A.P.P. also, who opposed the prayer for bail of the petitioner stating that on perusal of the record it appears that case is still pending for the appearance and the learned court below has sought one year time for conclusion of trial.

Having heard both sides and considering the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IIIrd Gaya, in connection with Konch P.S. Case No. 46 of 2010, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself



available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

However, it is made clear that if the petitioner found accused in similar type of cases in future, prosecution will be at liberty for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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