

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47405 of 2018

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

=====

1. Nirbhay Kumar @ Nirbhay Yadav @ Nirbhay Kumar Yadav, Son of Chandrama Yadav,
2. Ajay Kumar Yadav @ A.T.M. Son of Patiram Yadav, Both residents of Village- Kabilpura, Police Station- M.H. Nagar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Sri Anil Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-09-2018 Heard the parties.

Petitioners seek bail in Sessions Trial No.347 of 2017 arising out of Barharia P.S.Case No.06 of 2017 registered for the offences under Sections 399, 402, 414 of the I.P.C. Sections 25(1-b) A, 26, 35 of the Arms Act.

Allegation is of recovery of one katta and four cartridges from petitioner no.1 and two cartridges from petitioner no.2 and they are in custody since 10.01.2017.

Submission of the learned counsel for the petitioners is that earlier prayer for bail of the petitioners was rejected on 12.12.2017 passed in Cr.Misc.No.57530 of 2017. Further appears that petitioner no.1 is accused in four cases and petitioner no.2 is



accused in two cases. However, learned trial court and co-ordinate Bench have granted bail to the co-accused persons while they are also carrying criminal antecedent vide order dated 18.05.2018 passed in Cr.Misc. No.25989 of 2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- each with two sureties of the like amount each to the satisfaction of Additional District Judge-IV, Siwan, in Sessions Trial No.347 of 2017 arising out of Barharia P.S. Case No.06 of 2017 subject to the conditions that (1) one of the bailors must be a local person having sufficient immovable property within the jurisdiction of the concerned court. (ii) the petitioners will not induce any witness or tamper with the evidence and the petitioners shall co-operate in disposal of the trial and make themselves available as and when required by the court, otherwise, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

U			
---	--	--	--

