

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49434 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- JHAJHA District- Jamui

Niraj Yadav @ Niraj Kr. Yadav Son of Hema Yadav @ Hemu Yadav Resident
of Village- Mathura, Police Station- Anandpur (Chandan), District- Banka ...
Petitioner/s

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner	:	Mr.Ajay Mukherjee, Advocate
For the State	:	Mr.Tarun Prasad Mandal, Addl Public Prosecutor
For the informant	:	Mr. Shailesh Kr.Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-11-2019 Heard learned counsel for the parties and perused the case diary.

Petitioner is an accused in a case registered for the offence punishable under sections 302, 120B and other allied sections of the Indian Penal Code, section 27 of the Arms Act and sections 3/4 of the Explosive Substances Act.

It is alleged that the miscreants hurled bomb and fired on a vehicle killing two persons. Petitioner has also been found involved in the offence during investigation.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR, though others have been named. Petitioner has been roped in this case on his confession. Petitioner has got no criminal antecedent. Petitioner is in custody in the instant case since 7.2.2019. Save and except his confessional statement, nothing has come against the petitioner to connect him with the occurrence.

Learned counsel for the informant opposes the prayer for bail saying that location of petitioner's mobile phone was found near the place of occurrence at the time of occurrence as



per the Call Detail Records.

As the petitioner has not been named in the FIR, though other accused persons have been named therein and the petitioner has got no antecedent, let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge IV, Jamui in Jhajha Police Station Case No. 18 of 2019, Sessions Trial No. 159 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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