

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80105 of 2019

Arising Out of PS. Case No.-3 Year-2018 Thana- KONCH District- Gaya

Kariman Yadav @ Raj Kishore Yadav, S/o Late Baleshwar Yadav, R/o village-
Budhai, P.S.- Uphara, District- Aurangbad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kiran Sinha, Advocate
For the Opposite Party/s : Mr.Satyavrat Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 17-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Konch P.S. Case No. 03 of 2018 registered for the offences punishable under Sections 120(B), 353, 386/34 of the Indian Penal Code, Section 3 and 4 of the Explosive Substance Act and Section 17 of Criminal Law Amendment Act.

Learned counsel for the petitioner submits that the explosive substances were recovered from the house of co-accused Ramjan Mian and it is said Ramjan Mian who made a confessional statement and disclosed the name of about 20 other persons who had allegedly concealed the explosive in the house of Ramjan Mian. It is submitted that Ramjan Mian and some of the co-accused have been granted regular bail by a learned Co-



ordinate Bench of this Court. One of the co-accused Dhananjay Yadav has been granted anticipatory bail.

Learned counsel further submits that although in paragraph '3' of this application it would appear that the petitioner had been made accused in almost nine cases of similar nature but in all those cases he is on bail and in all these cases his name has been brought in a routine and mechanical manner.

Learned A.P.P. for the State is present and has though opposed the prayer for regular bail of this petitioner and is unable to demonstrate that the co-accused from whose possession the explosive substance have been recovered having been granted bail how the petitioner may be refused regular bail by this Court.

Considering the facts and circumstances of the case although the criminal antecedent is definitely one of the considerations in the matter of grant of bail, in the nature of the submissions showing that in all the cases stated in paragraph '3' the petitioner is on bail and then the co-accused from whose house the explosive substance has been recovered has already been granted regular bail by a learned Co-ordinate Bench of this Court and further the co-accused such as Dhananjay Yadav who is also named among the 20 persons has been granted



anticipatory bail, this Court finds that in order to maintain the parity and uniformity in justice, the petitioner deserves to be granted bail. The petitioner above named is, thus, directed to be released on bail in connection with Konch P.S. Case No. 3 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IIIrd, Gaya, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

vats/ved

U		T	
---	--	---	--

