

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13593 of 2022

Arising Out of PS. Case No.-244 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

ASHOK YADAV Son of Dasrath Yadav @ Bhuwar Yadav Resident of Village
- Pakhanari, P.S. - Sheosagar, Dist. - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Ms.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 31-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Petitioner seeks regular bail in Kudra P.S Case No.
244 of 2020 registered for the offences punishable under
Sections 399, 400, 402, 411 of the Indian Penal Code and
sections 25(I-b)a, 26, 35 of the Arms Act.

As per allegation, several miscreants gathered at the
alleged place and on seeing the police party they made an
attempt to flee but three of them were intercepted and petitioner
and other accused persons managed to escape and on search
from the person of arrested accused persons country made
pistol, cartridges and mobile phones were recovered.

The main submissions advanced by Sri Babu Nandan



Prasad, the learned counsel appearing for the petitioner are that the petitioner was not arrested at the spot, his name surfaced in the statement of co-accused Bhola Kumar Gond who has been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 16029 of 2021 and petitioner has been languishing in jail since 23.1.2020.

Ms. Gulnar Begam, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR as well as case diary. Petitioner is not arrested at the spot and his name surfaced in the statement of co-accused persons who were apprehended at the spot and one of the co-accused persons has been granted bail by a coordinate bench of this court vide order passed in the above mentioned miscellaneous case. Though against the petitioner there is criminal antecedent of 09 cases but during course of investigation, the police have not succeeded to get any relevant material and evidence against the petitioner to connect him with the alleged occurrence and mainly relying upon statement of co-accused made before the police, petitioner has been charge sheeted.

Considering the above facts as well as petitioner's custody period, in the opinion of this court, a lenient approach



can be taken in respect of the petitioner. Let the petitioner 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 Sessions Judge, Kaimur in Sessions trial no. 24/2022 arising out of Kudra P.S Case No. 244 of 2020.

(Shailendra Singh, J)

s.hassan/-

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

