

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17046 of 2015

Arising Out of PS.Case No. -238 Year- 2012 Thana -BARACHATTI District- GAYA

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1. Anil Das Son of Ram Kishun Das, Resident of village- Patluka, P.S.-
Barachatti, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Pradip Nr. Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 12-08-2015 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is in custody since 22.03.2015 in connection with Barachatti P.S. Case No. 238 of 2012 registered for the offences punishable under Sections 147, 148, 149 of the Arms Act, Section 4/5 of Explosive Substance Act, Section 17 of C.L.A. Act, and Sections 16, 18, 19 and 20 of the Unlawful Activity Act.

The prosecution case is that one Vipin Kumar Singh, the informant gave written report before police on 26.05.2012 alleging therein that the informant got secret information that the activists of C.P.I. (Maoist) has been making plans to indulge into destructive activities after accumulating large number of explosive substances, arms and ammunitions. Then the informant being the Officer-in-charge taking a team of armed forces including the

officers of C.R.P.F. proceeded to the destination to nab the activists, then having found the signal of their arrival the accused Anil Das with other accused persons with 40-45 persons assembled on Baraudhi Hill started to escape there from and in this way the attempt of police party to nab the unlawful activities failed, however after combing operation it recovered explosive substances, arms and ammunitions in huge quantity and accordingly its seizure list thereof was also made.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in the aforesaid case. He has further submitted that a co-ordinate Bench of this Court has granted privilege of bail to similarly situated co-accused Dharmendra Yadav in Cri. Misc. No. 31249 of 2012 vide order dated 22.08.2012

Under the said facts and circumstances, the above named petitioner is directed to 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 learned Sessions Judge, Gaya in connection with U.A.P Trial No. 5 of 2015 arising out of Barachatti P.S. Case No. 238 of 2012.

(Nilu Agrawal, J)

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