

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49955 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -KOCH District- GAYA

Ramashish Yadav Son of Late Deo Nandan Yadav R/oVillage Kamal
Bigha Tola, Puniya Bigha, P.S. Koch, District Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.41334 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -KOCH District- GAYA

1. Jattu Yadav, Son of Late Alkhdev Yadav, Resident of village- Sova
Bigha, P.S. Magadh University District- Gaya(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.47585 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -KOCH District- GAYA

1. Ravindra Yadav son of Ramjatan @ Jatan Yadav R/o Village- Narayan
Bigha P.S. Tekari at District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.48517 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -KOCH District- GAYA

1. Akhilesh Das @ Palta Son of Ram Chandra Das Resident of village -
Eatva, P.S. Paraiya, District - Gaya
2. Basant Manjhi @ Ganouri Son of Chandar Manjhi, Resident of village -
Rajiganj, P.S. Sherghati, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.49955 of 2015)

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

(In Cr.Misc. No.41334 of 2015)

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh (App)

(In Cr.Misc. No.47585 of 2015)

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

(In Cr.Misc. No.48517 of 2015)

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Arun Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

5 06-01-2016 All the four criminal miscellaneous are of the same occurrence and as such have been heard together and are being disposed of by this common order.

Heard learned counsels for the petitioners and learned counsel representing the State.

The petitioners seek bail in connection with Konch P.S. Case No. 80 of 2015 registered for the offences punishable under Sections 147/148/149/353/307/384/212 of the Indian Penal Code, Sections 25(1-b)A, 26/27/35 of Arms Act and Section 17 of the C.L.A. Act and Sections 16/17/18/20 of the U.A.P. Act.

Allegedly, acting on information that *Maowadi* extremists have gathered in the house of Ramashish Yadav, the Police personnel went there and directed the miscreants to surrender but they opened fire upon Police party to which the Police also resorted to firing and, thereafter, 10 miscreants were caught from

the house and out of them, from possession of Gorelal Rawani, Bhopendra Rajak and Umesh Yadav fire-arms and ammunitions were recovered and these petitioners and others were also caught from there but from their possession nothing was recovered. From the house, a handbag containing cash and Moist literature, mobile phones and other articles were recovered.

Submission is of false implication and that petitioners have been made victim of the circumstances, the petitioner Ramashish Yadav has not allowed the extremists but they have forcibly entered into the house of the petitioner and they have kept those articles forcibly, the petitioners have got no concern with the Moist Organisation and they have got no criminal antecedent.

Learned Additional Public Prosecutor opposes the prayer of bail by submitting that on Police party firing was made.

In the facts and circumstances stated above, considering that from conscious possession of the petitioner Jattu Yadav, Rajendra Yadav and Akhilesh Das @ Palta and Basant Manjhi @ Ganouri nothing was recovered and as submitted, the house of the petitioner Ramashish Yadav was occupied forcibly and as such, the petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned

Judicial Magistrate, 1st Class, Gaya in connection with Konch P.S.
Case No. 80 of 2015, subject to the conditions that one the bailors
must be a near relative and another having sufficient immovable
property within the territorial jurisdiction of the court concerned
and the petitioner shall remain present on each and every date
during trial and the default on two consecutive dates on his part
without any reason shall disentitle the petitioner from privilege of
bail.

(Jitendra Mohan Sharma, J)

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