

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26027 of 2016

Arising Out of PS.Case No. -20 Year- 2011 Thana -KOTHI District- GAYA

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Udani Yadav @ Sheo Nandan Yadav, Son of Bhajan Yadav Resident of
Village- Manjhauli, PS Kothi, district Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate.

For the Opposite Party : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 26-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 08.10.2015
in connection with Kothi P.S. Case No. 20 of 2011 for the
offences instituted under Sections 147, 148, 149, 431, 307, 353 of
the IPC, 27 of the Arms Act, 17 of C.L.A. Act and 10,11,13(1)A,
13(1)B of the Unlawful Activities(Prevention)Act.

The prosecution story, in brief, is that there was cross-
firing between the police and the extremists in the night of
16.06.2011 in front of Kothi P.S., in which petitioner's name has
been mentioned.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 08.10.2015 and the charge sheet has

been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. Altogether 22 persons are named in the FIR. No specific allegation has been made. He has falsely been implicated in the present case due to political rivalry.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. and being a Moist had attacked on the local police station. For a long period, the petitioner had been absconding. The bail of other co-accused has been rejected by this Court vide Cr. Misc. No. 21059 of 2016.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Kothi P.S. Case No. 20 of 2011, pending in the court of the learned A.C.J.M., Sherghati, Gaya.

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(Sudhir Singh, J)