

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51739 of 2016

Arising Out of PS.Case No. -125 Year- 2013 Thana -RAFIGANJ District- AURANGABAD

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SHUBHASH YADAV SON OF SITA RAM YADAV, R/O VILL.- KAJI
BIGHA, P.S.- GOH, DIST.- AURANGABAD (BIHAR).

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR OPPOSITE PARTY/S

Appearance:

For the Petitioner/s : Mr. Ranjit Kumar

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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ORAL ORDER

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

3 10-02-2017 Petitioner is directed to correct paragraph-1 as well as
prayer.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

As the member of extremist group failed to procure levy
from the owner of the informant, a driver they being armed raided the
site and put the dumper as well as machine on fire.

From perusal of the case diary, it is evident that police
failed to procure substantial evidence but to justify detention of the
petitioner and others, as is evident from para-70, co-accused
Surendra Mehta was arrested in connection with Khudwa P.S. Case
No.54 of 2013 wherein he made inculpatory confessional statement
admitting his presence during course of commission of present
occurrence along with others including the petitioner and on the basis
thereof, petitioner has been remanded in this case. Though, petitioner
has been identified to be member of an extremist group and on
account thereof paragraph 3 of the bail petition indicates presence of
criminal antecedent, but in the aforesaid facts and circumstances of
the case, petitioner Subhash Yadav is directed to be released on bail



on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge, VIIth, Aurangabad in connection with Rafiganj P.S. Case No. 125/2013.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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