

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8012 of 2017

Arising Out of PS.Case No. -120 Year- 2009 Thana -DEO District- AURANGABAD

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Indradeo Yadav, Son of Nanhu Yadav, Resident of Karmadih, P.S.- Deo,
District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Subodh Kumar Barnwal, Advocate

For the Opposite Party : Smt. Anita Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Deo P.S. Case No. 120 of 2009, registered for the offences
punishable under Sections 144/427 of the Indian Penal Code,
Section 3 of Explosive Substance Act and Section 17 of the
C.L.A. Act.

Allegedly, the informant got an information that
M.C.C. had destroyed culvert of North Koel Canal and then went
at the place of occurrence where the M.C.C. extremists were
raising slogan and accordingly F.I.R was lodged against 36 named
accused persons and 125 unknown extremists. The petitioner is
not named in the F.I.R. and during investigation the name of the



petitioner transpired in the confessional statement of co-accused Babu Ram Pal, which is evident from the impugned order itself.

Submission is of false implication and that in this case some of the accused have been acquitted, some of the accused granted pre-arrest bail and some of the accused have been granted regular bail and besides confessional statement there is no other materials against the petitioner.

The learned A.P.P. submits that this is a case of the year 2009 and since then the petitioner was absconding.

In the facts and circumstances as stated above, considering that the petitioner has got no criminal antecedent as it is evident from para 3 of the bail petition and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 learned Chief Judicial Magistrate, Aurangabad, in connection with Deo P.S. Case No. 120 of 2009, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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