

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44480 of 2018**

Arising Out of PS.Case No. -123 Year- 2014 Thana -MADANPURA District- AURANGABAD

=====

Ram Pravesh Yadav, Son of Late Rajeshwar Yadav, Resident of Village-  
Raja Bigha, Police Station- Salaiya, District- Aurangabad

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate

For the Opposite Party/s : Smt. Madhuri Lata, APP

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      10-08-2018

Heard learned counsel for the petitioner and the  
learned counsel appearing on behalf of the State.

The petitioner is in custody on his surrender since  
07.08.2017 in connection with Madanpur P.S. Case No.123 of  
2014 registered for the offence under Section 124A of the  
Indian Penal Code, Section 3/4 of the Explosive Substances  
Act, Sections 25(1-B)a, 26/35 of the Arms Act and Section 17  
of the C.L.A. Act.

Learned counsel for the petitioner submits that only  
on the basis of suspicion that the petitioner along with others  
was planning some illegal act and was a member of the naxal  
group, he has been taken into custody. It is further submitted  
that though named in the F.I.R., the incriminating article, which



was alleged to have been recovered, was not from the personal possession of the petitioner and, therefore, he may be extended the privilege of bail. It is further submitted that the petitioner has no connection with any extremist group so as to attract the provisions of Section 17 of the C.L.A. Act.

In view of the aforementioned facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-3<sup>rd</sup>, Aurangabad, in connection with Madanpur P.S. Case No.123 of 2014, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjana Mishra, J)**

PNM

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

