

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13533 of 2019**

Arising Out of PS. Case No.-31 Year-2018 Thana- KAJRA District- Lakhisarai *

MUKESH YADAV, aged about 25 years, Gender- Male, Son of Ramdeo Yadav @ Gong Yadav, Resident of Village – Gopalpur, P.S. Chanan, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Opposite Party/s : Mr.Md. Aslam Ansari (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER**

2 06-03-2019 Let the defect no. 6 as pointed out by the office be ignored for the present.

Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Kajra P.S. Case No. 31 of 2018 registered for the offences punishable under Sections 147, 148, 149, 353, 307 of the Indian Penal Code, Section 27 of Arms Act as well as Section 16, 17, 18, 20, 23 of U.A.P. Act.

Informant who is Sub-Inspector of police received a secret information that 70 persons who belong to Naxal groups and 11 persons who supported them in the Naxal activity assembled at one place and were



firing and raising slogan against police. Thereafter he along with other police party reached the place of occurrence but they fired upon them and fled away in the dense forest.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case only on the basis of suspicion. Allegation against petitioner is of being sympathizer and informer of Naxalies. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 06.02.2019 passed in Cr. Misc. No. 1606 of 2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai, in connection with Kajra P.S. Case No. 31 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as



directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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