

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25647 of 2019

Arising Out of PS. Case No.-155 Year-2018 Thana- DEO District- Aurangabad

PAPPU YADAV @ RAJEEV RANJAN YADAV @ RAJEEV RANJAN, ated
about 28 years, Son of Shiv Kumar Yadav, Resident of Village - Baraha,
Post.- Phulwariya, P.S.- Chhakarbandha, Distt.- Gaya

... Petitioner

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Adv.

For the Opposite Party : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-04-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
10.01.2019 in connection with Deo P.S. Case No. 155 of 2018
for the offences alleged under Sections 147, 148, 149, 307, 302,
353, 436, 435, 395, 121, 121A, 122, 124A and 120B of the
Indian Penal Code, under Sections 16, 17, 18, 20, 38 and 40 of
the Unlawful People Assembly Act and under Sections 3 and 4
of the Explosive Substances Act.

The prosecution case, as lodged by the police
personnel, is that on information that near the gas godown large
number of Maovadis have resorted to arson, killing and loot and
has killed one Narendra Prasad Singh, the police resorted to
firing and there was cross firing from both sides the police has
named 14 persons, local villagers have named 42 persons,



including the petitioner, and five persons have been named by the local people to have been associated with the said Maovadis.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, it was a mob attack and nothing has been recovered from the possession of the petitioner. He submits that general and omnibus allegation has been levelled against the petitioner and he is languishing in judicial custody since more than three months. He, further, submits that two of the similarly situated co-accused have been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 17142 of 2019, dated 01.04.2019.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, the period of custody and that the petitioner does not bear a criminal antecedent, as stated in paragraph 3 of the present application, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Deo P.S. Case No. 155 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, or the successor Court, subject to the condition that one of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file
an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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