

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41319 of 2019

Arising Out of PS. Case No.-443 Year-2015 Thana- AURANGABAD TOWN District-
Aurangabad

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Sanjay Kumar Shyam @ Sanjay Kumar, S/o Sideshwar Singh, Resident of
Village- Rafiganj (Near East Cabin), P.S.- Rafiganj, District- Aurangabad,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Aurangabad Town P.S. Case No. 443 of 2015, registered under
Sections 120(B), 121(A), 124(A) and 386 of the Indian Penal Code
and Section 17 of the C.L.A. Act.

The accusation is that on 22.10.2015, informant
received secret information to the effect that in Mohalah Naga Bigha
in the house of Umesh Yadav and Ajay Yadav, one Shankar Yadav @
Sonu used to reside on rent, who used to do the work for extremism,
where Commander Vijay Yadav @ Guru Ji and his associates have
come for meeting of committing heinous crime. Thereafter,
informant along with other police personnel reached there and



surrounded the house. At that time on seeing the police party, some persons started to flee away but they were apprehended, who disclosed their names as Shankar Yadav, Ved Prakash Singh @ Vikas, Vimal Yadav, Arvind Yadav and Kunal Yadav. Since they were the members of M.C.C. group due to that reason no any person came there. On search of room, poster of outfit extremist literature, latter pads, mobiles and other materials recovered. On query, Shankar Yadav, disclosed that they are the members of M.C.C. group and presently, he is State President whereas Ved Prakash Singh is General Secretary and Vimal Yadav is Treasure and they also disclosed that Sanjay Kumar Shayam @ Shanjay Kumar Rafiganj (petitioner), Lalmohan Yadav, Ajay Yadav, Tufani Ji, Ganesh Yadeav, Rampravesh Yadav, Satendra Ji and Vijay Prajapati were also participated in the said meeting.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended at the spot and his name has come in the confessional statement of co-accused, Shankar Yadav, who is said to be apprehended at the spot. Further submission is that while petitioner is accused in one another case but in that case he is on bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Town P.S. Case No. 443 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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