

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43725 of 2019

Arising Out of PS. Case No.-13 Year-2010 Thana- DHARHARA District- Munger

MAHESH YADAV, aged about 55 years, Gender-Male, Son of Late Govind Prasad Yadav, Resident of Village-Jatkutia, P.S.-Dharhra, District-Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bhola Kumar, Advocate.
For the Opposite Party : Mr.Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 17.09.2018 in a case for the offence registered under Sections 147, 148, 149, 124(A), 122 of the IPC, 13 of the Unlawful Activities Prevention Act, 3, 4, 5 of the Explosive Substance Act and 17 of Criminal Law Amendment Act.

The prosecution story, in brief, is that on 08.02.2010 the informant received information that a meeting of 50-60 extremists is going on at Paisra Mountain with Arms. Upon which, he formed a raiding team after informing superior officers and proceeded there on 08.02.2010 at about 4.00 P.M. with raiding party at the meeting place. It is further alleged that the meeting was held in the leadership of Arvind Yadav and



Suresh Kora at Paisara Mountain in the preceding night in which they were promoting the raising slogans MCC and talking against the Government and they were planning to blast the mountain. On search, some explosive material were found in the mountain but no one was apprehended or seen at the place of occurrence.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The name of the petitioner has come in the present case merely on the basis of suspicion. There is no substantive evidence to suggest the implication of the petitioner in the present case. No incriminating article is alleged to have been recovered from possession of the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Munger, in connection with



Sessions Trial No. 54 of 2019, arising out of Dharhara P.S. Case
No. 13 of 2010.

(Sudhir Singh, J)

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