

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76887 of 2018

Arising Out of PS. Case No.-127 Year-2018 Thana- BELHAR District- Banka

Yogendra Marandi, S/o Thakur Marandi, Resident of Village-Shrinagar,
Police Station-Belhar, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 24.08.2018 in connection with Belhar P.S. Case No. 127/2018 registered for the offence punishable under Sections 121/121(A)/120(B) of the Indian Penal Code and Section 25(1-b)a,26/35 of the Arms Act and Section 16/17/18/19/20/21/22 of U.A.P.A. Act and Section 17 of the C.L.A. Act.

Learned counsel for the petitioner submits that though the petitioner is named in the F.I.R., the said disclosure was made by one co-accused Binod Hembram @ Binay Hembram who was arrested by the police from the place of occurrence. It is further submitted that nothing has been attributed to the present petitioner, save and except, it is suspected that he along



with the others was participating in a meeting which was being conducted by a Naxalite group for promoting naxalite activities. Learned counsel for the petitioner further submits that no incriminating material was recovered from the petitioner nor any arms and ammunition were recovered at the time of his arrest.

Consideration the aforementioned facts and circumstances and that the petitioner was arrested only on the basis of the statement made by a co-accused before the police which has no evidentiary value, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Banka, in connection with Belhar P.S. Case No. 127/2018, subject to the condition that one of the bailors will be the blood relative of the petitioner.

(Anjana Mishra, J)

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