

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62344 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- AMBA District- Aurangabad

SHEO NANDAN YADAV Son of Yogi Yadav Resident of Village - Golha
Tole Ghurandih, P.S.- Dhibra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 9.8.2019 in a case registered for the offences punishable under Sections 147,148,149,353,307 and 124(A) of the I.P.C., Section 27 of the Arms Act and Section 17 of the Criminal Law Amendment Act.

The prosecution case as per the self statement of Inspector Shyam Kishore Singh, SHO, Nabinagar Police Station recorded on 19.7.2019 at 6.30 A.M., is to the effect that the informant received secret information to the effect that Commander of the naxalites namely, Pramod Mishra and Sandeep Yadav are preparing to cause damage to the under-construction bridge on river Batane situated in the village Parta. Consequently, a raid was laid, when all the accused persons escaped from the scene on seeing the police party. The used cartridges and SLR were recovered, leading to registration of FIR against 33 named and 17 unknown. The name of the petitioner sprang up during



investigation.

It is submitted by learned counsel for the petitioner that neither there is recovery of arms or ammunition from possession of the petitioner nor the petitioner has been put on Test Identification parade. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up during investigation.

Considering the fact that the name of the petitioner sprang up during investigation, no recovery has been made from the possession of the petitioner, the petitioner has not been put on Test Identification Parade, the period in custody, coupled with the fact that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Amba P.S. Case No.68 of 2019.

(Dinesh Kumar Singh, J)

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