

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2204 of 2020

Arising Out of PS. Case No.-17 Year-2010 Thana- TANDWA District- Aurangabad

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GUDDU YADAV @ NIRVAY JEE @ LALIT KUMAR (M), aged about 37 years, S/o Ram Pravesh Yadav R/o Village- AndhariBagh, P.S.- Pipra, District- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-01-2020 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 379, 302 of the Indian Penal Code, Sections 27 of the Arms Act and Section 17 C.L.A. Act.

Informant who is a police officer has alleged that on 03.05.2010, he along with other police personnel proceeded for investigation of case and when arrived near PNB Bank at Tandwa Bazar in the meantime 10-15 extremist all of sudden



came there and started firing due to which police party received injury thereafter extremist fled away after looting the arms and four constables lying dead and several other cartridges were looted from constables.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case on the confessional statements of co-accused Sikaander Paswan. Similarly placed co-accused have been granted bail by co-ordinate benches of this court as contained in Annexure-2 series. Petitioner is in custody since 24.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Tandwa P.S. Case No. 17 of 2010, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/-

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