

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8582 of 2020

Arising Out of PS. Case No.-25 Year-2001 Thana- ADHAOURA District- Kaimur (Bhabua)

1. JAINATH YADAV Son of Baldev Yadav @ Dermuni Yadav Resident of Village - Semari, Post Office - Bardiha, P.S.- Majhiyaw, District - Garhawa (Jharkhand).
2. Bharat Singh Khawar @ Raja Jee Son of Dhundha Singh Khawar Resident of Village - Repura, P.S.- Bhawanathpur, District - Garhawa (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 09-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the
offences under Sections 147, 148, 149, 302, 307, 323, 324, 325,
326, 333, 338, 427, 379 of the Indian Penal Code, 27 of the
Arms Act, 3 and 4 of Explosive Substance Act and 17 of C.L.A.
Act.

The prosecution case in short is that while the police



vehicle reached near the place of occurrence, the accused persons, variously armed, hurled bomb on the police party due to which three police personnel died and also snatched their arms.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 14.09.2019. There is no allegation of tampering of witnesses alleged against the petitioners. Charge-sheet has been submitted in the present case. The petitioners are not named in the F.I.R. By way of supplementary affidavit it is submitted that the petitioners have never misused the privilege of bail. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. The F.I.R. was instituted against 100-150 unknown persons. The petitioners have no knowledge regarding the alleged incident. The petitioners have already remained in custody for more than a year.

On behalf of the State, it is submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, 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 Chief Judicial Magistrate, Kaimur at Bhabhua in
connection with Adhaura P.S. Case No. 25/2001.

(Sudhir Singh, J)

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