

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12010 of 2020**

Arising Out of PS. Case No.-70 Year-2012 Thana- IMAMGANJ District- Gaya

MAHESHI YADAV @ MAHESH YADAV, Son of Late Makhu Yadav
Resident of Village - Kathautia Jhanjhi, P.S. - Barachatti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 15-06-2020

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Imamganj P.S. Case No. 70 of 2012, registered under Sections
302 and 120(B)/34 of the Indian Penal Code, Section 27 of the
Arms Act and under Section 17 of the C.L.A. Act.

The accusation is that before one week, Laxmi
Singh Bhokta, Maheshi Yadav (Petitioner), Prafuljee,
Abhayjee, Manoj Bharti and Arbind Bharti came at the house
of informant Kalapu Bharti @ Laxaman Bharti and asked
about his son Pahtan Bharti to accompany them to meet his
gang leader Sandeepjee at village-Ekrupaiya, but, his son
refused to go with them saying his ill health. Thereafter, all
moved from there. Yesterday i.e. on 20.08.2012, in the



evening, Sandeepjee @ Vijayjee, Sarvesh Yadav, Arbind Bhuiya, Lalesh Yadav, Sajeetjee and Kaillu Bhuiya came at his house and asked him that before one week his son Pahtan Bharti was called but he did not go to meet Sandeepjee and all carried his son Pahtan Bharti, while his son did not return till late night. On the next morning, the informant came to know that his son has been murdered at village-Shankarpur then he went there and saw his son is lying dead on the road sustaining firearm injury. The informant suspected that the aforesaid persons, who are members of Maoist, killed his son.

Learned counsel for the petitioner submits that petitioner had not brought the son of informant as the petitioner is accused in Raushanganj P.S. Case No. 77 of 2009 and he was in custody since 30.06.2018, thereafter, he was remanded in the present case on 03.12.2018 since then he is in custody. Moreso, on investigation, the Police has submitted Chargesheet.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Gorakh Nath Dubey, J.M. 1st Class,



Sherghati (Gaya) in connection with Imamganj P.S. Case No. 70 of 2012, subject to the condition that one of the sureties must be parents/close relative of the petitioner. The petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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