

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27078 of 2020

Arising Out of PS. Case No.-148 Year-2014 Thana- BARACHATTI District- Gaya

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MAHESH YADAV @ MAHESHI YADAV @ RAGHUBASHI YADAV @
BANARSHI @ RAGHUBANSH JEE @ RAGHUBANSH 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

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the State : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-10-2020 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.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

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

The petitioner seeks bail in a case registered under
Sections 147, 148, 149, 307, and 120(B) of the Indian Penal
Code, Sections 3, 4 & 5 of Explosive Substance Act, Sections
13, 16, 18 & 20 of U.A.P. Act as well as Section 17 of C.L.A.



Act.

Prosecution case in short is that on the basis of secret information about the creation of nuisance and disturbance by naxalites in election, the informant along with other police personnel raided the place of occurrence and recovered cane bomb of 5 kg. was recovered. It was known to the informant that the petitioner along with others were involved in illegal act of creating disturbance in the election process as well as causing damage to the police personnel.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 01-11-2017. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. For the political reason, the petitioner has been made accused in this case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 learned
Sub Divisional Judicial Magistrate, Sherghati, Gaya in
connection with Barachatti P.S. Case No. 148 of 2014.

(Sudhir Singh, J)

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