

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64708 of 2019

Arising Out of PS. Case No.-43 Year-2018 Thana- ANTI District- Gaya

Naresh Yadav, Son of Late Jageshwar Yadav, Resident of Village-
Kanchanpur, P.S.- Anti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandeep Kumar

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 22-01-2020 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail
in connection with Anti P.S. Case No.43 of 2018 registered for the
offence punishable under Sections 384, 385 and 387 of the Indian
Penal Code and Sections 16, 18 and 20 of the U.P.A. Act.

Learned counsel for the petitioner submits that on a
reading of the FIR it would appear that the allegation against the
petitioner is that in course of search of his house some literature
and photographs and receipts giving an impression that the
petitioner is a member of the Communist Party (Maowadi) and is
involved in realization of Rangdari amount was the reason for
lodging the FIR. It is submitted that on the same day another FIR
being Anti P.S. Case No.42 of 2018 was registered alleging that



the petitioner was involved in the business of firearm and police has recovered several articles along with firearm. In the said Anti P.S. Case No.42 of 2018, a learned coordinate Bench of this Court has granted bail to the petitioner on 16.05.2019 in Cr.Misc.No.32601 of 2019.

It is submitted that earlier the prayer for bail of the petitioner was refused vide Annexure-1 on 19.12.2018, but in view of the subsequent development by which the petitioner has been granted bail by a learned coordinate Bench of this Court in Anti P.S. Case No.42 of 2018 and that the petitioner is on bail in the other two cases on his head, he deserves privilege of regular bail being in custody since 08.08.2018.

Learned APP has though opposed the prayer for bail of the petitioner, however, considering the facts and circumstances of the case particularly the fact that the petitioner has been released on bail in the case registered on the same day alleging that with several articles firearms were also recovered and that the petitioner has remained in custody for about one and half year by now, this Court directs for release of the petitioner on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya in connection with Anti P.S. Case No.43 of 2018, subject to the condition as laid down under Section 437



(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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