

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69943 of 2019

Arising Out of PS. Case No.-81 Year-2014 Thana- ROSHANGANJ District- Gaya

ABHAY YADAV @ GOVIND JEE Son of Kuldeep Yadav Resident of
Village - Ban Manjhauli, P.S. - Dhibra, Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari

For the Opposite Party/s : Mr.Dr. Indihar Kumari

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

ORAL ORDER

7 16-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Raushanganj P.S. Case No.81 of 2014 registered under Sections
147, 148, 149, 120(B), 121(A), 122, 124(A), 323, 325, 427, 385,
386 and 395 of the Indian Penal Code, Sections 3/4 of the
Explosive Substance Act, Sections 13, 16, 18 and 20 of the
U.A.P. Act and Section 17 of the C.L.A. Act.

The accusation is that at about 08.00 P.M. on
24.10.2014, the informant Dulari Devi along with her children
was sleeping in her house. All of sudden, she heard the sound
of knocking the door on which the informant opened the door
and in the light of torch, she identified, 14 persons including the



petitioner, while there were 10-12 unknown along with them and they were armed with firearms. At that time, Arvind Bhuiyan asked the informant to get her children outside of the house, otherwise he would kill them. Due to fear, the informant along with her children came out of the house. Thereafter, all entered into the house of the informant and took the households articles from there and loaded the same on the truck. Thereafter, some of them exploded the bomb at the house of the informant and asked the informant to go at some distance. Thereafter, the informant went to her village, then, after short interval, the informant heard the sound of 3/4 explosion of bomb. Thereafter, all moved from there and, in the way, they, after calling Yogendra Yadav, the co-villager of the informant, from his house brutally assaulted him. When the informant reached at her house, then she found her Pakka house in damaged condition.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner is accused in 11 other cases of similar nature, as detailed in paragraph-3 to this application, due to that reason, the petitioner has falsely been implicated in this case. The petitioner, in the present case, has been remanded on 28.02.2018 and since then he is in custody. Further



submission is that the similarly situated co-accused Sanjay Yadav has already been allowed the privilege of bail by a Bench of this Court vide order dated 29.01.2019 passed in Criminal Misc. No.75797 of 2018.

Having regard to the facts and the circumstances of the case and also considering the period of detention of the petitioner in custody, 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 the Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Raushanganj P.S. Case No.81 of 2014. Out of the two sureties, one must be either parents or the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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