

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4454 of 2020

Arising Out of PS. Case No.-3 Year-2019 Thana- CHAKARANDHA P.S. District- Gaya

1. MANOJ YADAV, Son of Bhola Yadav, Resident of Village - Barha, P.S.- Dumariya, Dist.- Gaya.
2. Shambhu Yadav, Son of Kedar Yadav, Resident of Village - Barha, P.S.- Dumariya, Dist.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 29-02-2020 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 124A of the Indian Penal Code and Sections 16(i)(b), 18, 20 of the Unlawful Activities (Prevention) Act, 1967.

The prosecution case as per the informant Chandan Manjhi, A.S.I. of Police submitted to the Chhakarbandha Police Station is to the effect that on 02.05.2019, the informant and other C.R.P.F personnel, put barricading near Middle School Barha, in the meantime, two persons travelling on a motorcycle on seeing the C.R.P.F. personnel tried to flee away from the



scene, but on chase, they were apprehended and disclosed their names as Suryamal Yadav and Kishori Yadav. During search, one naxal poster suggesting killing of one Raghu @ Raghunandan Bhokta, a stolen motorcycle and a mobile phone were recovered. The name of the petitioners sprang up on the confession of apprehended, co-accused.

It is submitted by learned counsel for the petitioners that except the confession of apprehended, co-accused, there is no material against the petitioners. The impugned order also does not suggest that any further cogent material has been collected collected against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State the petitioners' name surfaced during investigation on the confession of apprehended co-accused.

Considering the fact that the thrust of accusation is against co-accused persons and the impugned order does not suggest any material against the petitioners coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event



of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sherghati, Gaya, in connection with Chhakarbanda P.S. Case No.3 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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