

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30421 of 2021**

Arising Out of PS. Case No.-1 Year-2019 Thana- LUTUA District- Gaya

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Mandeep Yadav @ Metal Son of Hari Yadav Resident of Village -
Mahulaniya, P.S. Chhakarbandha, District - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Ajit Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 04-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Lutua P.S. Case No. 01 of 2019, registered for the offence under Section 302 & other allied Sections of the Indian Penal Code, Section 27 of the Arms Act, Sections 3, 4, 5 of Explosive Substance Act and Sections 16, 17, 18, 18A, 18B, 20 of U.A.P. Act.

The prosecution case is that on 11.02.2019, the informant got a secret information that some Moists are marching in the forest of Chhakarbandha for big incident and as such, after constituting a raiding party, they proceeded to apprehend them (Moists) and during the campaign on 13.02.2019, they recovered I.E.D. at village Jhajh and as soon as they reached Asurian village towards hilly area, naxals started



firing upon them to make loot of the ammunition of forces so there was exchange of firing and their explosives have been covered under the earth and on blast, one Sub-Inspector Raushan Kumar died and other forces got injury on their person.

It is submitted on behalf of petitioner that there is no specific allegation against this petitioner and the allegation is general & omnibus in nature. Petitioner has been made accused in this case only on suspicion. In paragraph – 3 of the petition, it is stated that though, petitioner has got criminal antecedent and he is accused in 8 more cases, but in most of the cases, he is on bail. Petitioner is in custody since 09.11.2020. Chargesheet has already been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 A.C.J.M., Sherghati, Gaya in connection with Lutua P.S. Case No. 01 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and



every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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