

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28484 of 2020

Arising Out of PS. Case No.-83 Year-2012 Thana- ROHTAS District- Rohtas

HARI YADAV Son of Ram Prasad @ Sarpanch Resident of Village- Dhansa,
P.S.- Rohtas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 01.10.2019 in connection with Rohtas P.S. Case No. 83/2012 registered for the offences punishable under Sections 121A/124A/120B of the Indian Penal Code and Section 3/4 of the Explosive Substance Act and Section 17 of C.L.A. Act.

As per the prosecution case, this petitioner along with other named accused persons and some unknown accused persons planted landmine in order to disrupt “Operation Vishwas” which was later on defused by the police.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case and no one was hurt in the alleged occurrence. There is general and



omnibus allegation against this petitioner and no offence as alleged in the FIR is made out against the petitioner. It is further submitted that similarly situated co-accused persons Shekhar Jee and Nirala Yadav have already been granted bail by this Court in Cr. Misc. No. 14226 of 2013 and Cr. Misc. No. 23613 of 2013 vide order dated 30.09.2013 and 09.01.2014 respectively. Chargesheet has already been submitted in this case and the petitioner is in custody since 01.10.2019.

Considering the aforesaid facts and circumstances and the period of custody, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned SDJM, Dehri-on-Sone, Rohtas in connection with Rohtas P.S. Case No. 83 of 2012, subject to following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.
- (2) If the petitioner tempers 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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