

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34437 of 2020

Arising Out of PS. Case No.-78 Year-2011 Thana- AMBA District- Aurangabad

Sanjay Yadav S/o Birta Yadav R/o Village Bel Bigha, P.S. Mali, District-
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar .

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-01-2021 Heard both sides.

Petitioner seeks bail in Amba P.S. Case no. 78 of 2011 registered under sections 147, 148, 149, 435, 427 of the Indian Penal Code, section 17 CLA Act and section 3 of Public Property Damage Prevention Act, 1984.

Informant alleged that members of MCC came and set ablaze the machine. Extremists were armed with deadly weapons. Informant identified Binay Yadav and Kalika Yadav.

Petitioner is not named in the first information report. During the course of investigation, name of the petitioner surfaced in this case as some of the villagers whispered about presence of the petitioner in the alleged occurrence.

It is submitted that similarly situated co-accused Sanjay Singh has already been grant bail vide order dated 31.01.2019



passed in Cr. Misc. no. 1512 of 2019.

Petitioner has, of course, got criminal antecedent but he is in jail for last more than four years. Petitioner has remanded in this case on 13.01.2020. Petitioner has remained in jail for more than one year in the present case.

Taking into consideration the facts, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in Amba P.S. Case no. 78 of 2011.

(Prabhat Kumar Jha, J)

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