

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37347 of 2020

Arising Out of PS. Case No.-259 Year-2019 Thana- KHAIRA District- Jamui

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BABU LAL TUDDU SON OF SURENDRA TUDDU RESIDENT OF
VILLAGE - AHARADIH, P.S. - KHAIRA, DISTRICT - JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 02-02-2021 Heard the learned counsel for the petitioner and Sri
Dinesh Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Khaira PS case no. 259 of 2019 instituted for the offence punishable under Sections 147, 148, 149, 121(A), 122, 127, 120B of Indian Penal Code, 25(1-b)a, 26 of Arms Act and Section 16, 17, 18, 19, 20, 21, 22 of U.A.P. Act.

The allegation is regarding the police having received secret information that Naxalites had gathered at the alleged place of occurrence, whereafter a raid was carried out and huge quantity of arms and battery etc. were recovered from the alleged place of occurrence. The name of the petitioner has



been transpired in the present case upon suspicion.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 28.03.2020. It is further submitted that neither the petitioner has been arrested from the spot nor he has got anything to do with the said Naxalite outfit namely Sidhu Koda gang.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner has neither been arrested from the spot nor any illicit arms have been recovered from his possession and moreover, the petitioner is having a clean antecedent, I deem it fit and appropriate to release the abovenamed petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Jamui in connection with Khaira PS case no. 259 of
2019.

(Mohit Kumar Shah, J)

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