

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4905 of 2021

Arising Out of PS. Case No.-249 Year-2010 Thana- MADANPUR District- Aurangabad

Vikash Yadav @ Rohitji @ Vikashji @ Ramsawarup Yadav S/o Govind Yadav
R/o village- Deojara, P.S.- Imamganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Shekhar
Mr.Anuraj Singh
For the Opposite Party/s : Mrs.Asha Devi.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8. 27-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sessions Trial No. 62 of 2016/397 of 2017, arising out of Madanpur P.S. Case No. 249 of 2010, registered for the offence under Sections 147, 148, 149, 307, 353 of the Indian Penal Code, Sections 25(1-b)a, 26, 27, 35 of the Arms Act and Section 17 of C.L.A. Act.

On a secret information that some miscreants have gathered at the house of co-accused Ramlagan Bhuiyan, the police conducted raid, but about 20-25 Maoists managed to flee away and on search, country-made pistol, one piece walkie-talkie, one modified electronic flash trigger, black dress, military cap etc. were recovered. However, Chaukidar and



others identified thirteen persons, who succeeded in fleeing away.

Neither petitioner is named in the F.I.R. nor he has been identified by the Chaukidar. Petitioner has been made accused in this case only on the basis of information supplied by a spy during course of investigation. No incriminating article has been recovered from the possession of the petitioner. By filing supplementary affidavit, it is submitted that though petitioner is accused in as many as 26 cases, but except four cases, he is on bail in all other cases and several other co-accused persons have already been granted bail by this Court, vide orders annexed as Annexure 2 series to the supplementary affidavit. Petitioner has been remanded in this case on 11.02.2020. Investigation is complete.

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., Aurangabad in connection with Sessions Trial No. 62 of 2016/397 of 2017,



arising out of Madanpur P.S. Case No. 249 of 2010, 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.)

anay

U		T	
---	--	---	--

