

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.14664 of 2021**

Arising Out of PS. Case No.-135 Year-2017 Thana- CHANDAN District- Banka

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YUGAL ROY S/O RAMESHWAR ROY R/O VILLAGE-DOMADIH, P.S-  
CHANDAN, DISTRICT-BANKA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Brij Nandad Prasad,Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
ORAL ORDER

2      24-06-2021                      Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Chandan (Anandpur) P.S. Case No. 135 of 2017 registered for the offences punishable under Sections 147, 148, 149, 121, 121(A), 120(B) of the Indian Penal Code, Section 3/4 of Explosive Substances Act and 17/18/19/20/21//22 of the Unlawful Activities Prevention Act and Section 17 of Criminal Law (Amendment) Act.

Learned counsel for the petitioner submits that as per the prosecution story, on secret information the informant along with other police personnel reached forest Kathara Tari and apprehended an accused who was trying to flee away on seeing the police party.



The apprehended accused person disclosed his name as Sadhu Khaira @ Sadhu Pujhar and from his possession explosive substance kept in 6 plastic bags containing 8kg each were recovered and disclosed the name of the petitioner as his associate.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case on the basis of confessional statement of the co-accused Sadhu Khaira @ Sadhu Pujhar. The petitioner is in custody in the present case since 25.02.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated in this case on the basis of so-called confessional statement of the co-accused Sadhu Khaira @ Sadhu Pujhar, in fact, the petitioner is a farmer and has got no criminal antecedent, further submission that the petitioner is in judicial custody in connection with this case since 25.02.2020, investigation against him is complete but the trial is not likely to be concluded in near future, considering all these aspects, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Chandan



(Anandpur) P.S. Case No. 135 of 2017, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During the Pandemic Period'.

