

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3975 of 2021

Arising Out of PS. Case No.-170 Year-2020 Thana- GAYA KOTWALI District- Gaya

MAHESH YADAV, S/o Late Vishnu Yadav R/o Mohalla- Gol Bagicha (Gabra Par), P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate

For the Opposite Party/s : Mr. A.L. Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-03-2021 Heard Mr. Priya Ranjan, learned Counsel for the petitioner and Mr. A. L. Pandit, learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of Kotwali Police Station Case No. 170 of 2020, disclosing offences under Section 3/4 of the Explosive Substance Act.

The allegation, as per the First Information Report is that police got a secret information that petitioner along with his brother, Rajesh Yadav, was indulged in selling of illicit liquor proceeded towards place of occurrence and from the newly constructed house of Rajesh Yadav, two live bomb and chemicals for preparing bomb were recovered from the room situated at the ground floor of the said house.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on the basis of the fact that he happens to be elder brother of the co-accused, Rajesh Yadav, from whose constructed house, the explosive materials have been recovered. Learned counsel next submits that the two criminal antecedents of the petitioner is of the year 2010 and in both the cases petitioner is on bail. Learned counsel further submits that petitioner is in custody since 11.09.2020 and the explosive substance has not been recovered from the conscious possession of the petitioner.

Having regard to the submissions made by the parties and taking into consideration the materials on record and from perusal of the seizure list, it appears that explosive materials have been recovered from the house of co-accused, Rajesh Yadav and the petitioner is in custody since 11.09.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Mahesh Yadav, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Chief Judicial Magistrate, Gaya, in connection with Kotwali Police Station Case No. 170 of 2020.



It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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