

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2614 of 2022**

Arising Out of PS. Case No.-411 Year-2020 Thana- BELHAR District- Banka

Chhabbu Yadav @ Ramesh Kumar Yadav aged about 35 years, Sex-Male,
S/o- Late Potan Yadav @ Late Potan Prasad Yadav Resident of Village -
Amgarwa @ Amgarhwa, P.S. - Belhar, District - Banka.

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 13-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Belhar
P.S Case No. 411 of 2020 registered for the offence under
Sections 13, 16, 18, and 20 of the Unlawful Activities
(Prevention) Act, 1967.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.10.2020.

The allegation against the petitioner/complainant to
commit national offence on the occasion of general assembly
elections, where petitioner apprehended on raid by police.

Learned counsel appearing on behalf of the petitioner



submitted that no objectionable pamphlets or banners were recovered from the conscious physical possession of the petitioner, which may suggest that he was actively participated in the naxalite activities or even planning for the same. It is submitted that one of the co-accused, having more serious allegations, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 22596 of 2021 dated 29.11.2021. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that nothing objectionable recovered from the possession of the petitioner, as per F.I.R.

Considering the facts and circumstances as mentioned above, as nothing objectionable material recovered from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Belhar P.S.



Case No. 411 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Ashok Yadav, who is the brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-
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