

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26643 of 2021**

Arising Out of PS. Case No.-33 Year-2010 Thana- KHARHAGPUR District- Munger

BHIM YADAV S/o- Hari Charan Yadav R/o Village- Kathor, P.S.- (Laraiya  
Tar) Dharhara, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      05-01-2022                      Heard learned counsel for the petitioner and learned  
APP for the State through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 121A and 122 of the Indian Penal Code, sections 25(1-A), 26(1) (2) and 35 of the Arms Act, sections 3, 4 and 5 of the Explosive Substance Act and section 17 of the C.L.A. Act.

As per the prosecution case, while carrying out operations in the *jungle* area, it is stated that the police personnel seized several Maoist literature, arms and ammunitions as also explosive etc., details of which have been given in the FIR. It is further stated that several Maoist were named which included the petitioner herein.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case.



Neither was he arrested at the place of occurrence nor any incriminating article has been recovered from his possession. Even as per the FIR his name was disclosed allegedly by the villagers. The petitioner is in custody since 21.11.2019 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for over 2 years, the petitioner is directed to be enlarged on bail in connection with Kharagpur P.S. Case no. 33 of 2010 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger.

**(Partha Sarthy, J)**

Spd/-

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