

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40864 of 2021

Arising Out of PS. Case No.-3 Year-2018 Thana- CHAKARANDHA P.S. District- Gaya

MANDEEP YADAV @ MATAL Son of Hari Yadav Resident of Village-
Mahulaniya, P.S.- Chhakarbandha, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari, Advocate

For the Opposite Party/s : Ms.Renu Kumari, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Chhakarbandha P.S. Case No. 03 of 2018, for the offence
punishable under Sections 147, 148, 149, 307 and 353 of the
Indian Penal Code, Section 25(1-b)a, 26 and 27 of the Arms Act
and Section 17 of the C.L.A. Act.

The prosecution case, in brief, is that when the
informant and others proceeded in Hill and forest of
Chhakarbandh area, Naxalites started indiscriminate firing.
Upon which, the Police also fired for self defence. The
Naxalites started fleeing away and in that course, they were
taking name of each other including the name of this petitioner.



Thereafter, the Police recovered some suspicious things, fire arms, empty cartridges from the place of occurrence.

Learned counsel appearing on behalf of the petitioner submits that the similarly situated other co-accused, namely, Sahendra Singh Bhokta and Satendra Singh Bhokta @ Satyendra Singh Bhokta @ Satendra Manjhi have already been released on bail by a coordinate Bench of this Court vide order dated 22.10.2019 passed in Criminal Miscellaneous No. 63852 of 2019 and 16.12.2019 passed in Criminal Miscellaneous No. 67004 of 2019, respectively. He further submits that petitioner along with other co-accused have voluntarily surrendered before the State Government and in this regard, he has annexed Annexure-3, the press release dated 29.07.2020. He further submits that petitioner is the sole bread earner of his family and there is no one, who look after his family members. The petitioner is in custody since 30.07.2020.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case and peculiar nature of the present case and also taking into consideration that other co-accused persons have already been released on bail and the fact that petitioner



has voluntarily surrendered before the State Government, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Chhakarbandha P.S. Case No.03 of 2018, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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