

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56125 of 2021

Arising Out of PS. Case No.-12 Year-2009 Thana- AMBA District- Aurangabad

Nagdeo Ram S/O Late Marachhu Ravidash R/O Village- Madhu Bigha, P.S.-
Dhibra, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered in connection
with Amba P.S.Case No. 12 of 2009 for the offences punishable
under Sections 147,148,149,427,121A of the Indian Penal Code
and section 3/4 of Explosive Substance Act and section 17 of the
CLA Act.

As per prosecution case, various extremists including
this petitioner along with 25 to 30 unknown extremists damaged
the Airtel Tower of two villages with the help of explosive

Learned counsel for the petitioner submits that no



specific overt act has been attributed against the petitioner. He was arrested on 06.06.2018 in connection with Amba P.S. Case No. 36 of 2006 and from the aforesaid case he has been remanded in the present case and since then he is in judicial custody. It is further submitted that other co-accused namely, Vikash Yadav in Cr. Misc. No. 32436 of 2012, namely, Dara Bhuiyan@ Dara Bhuian in Cr. Misc. No.46283 of 2014, namely, Satyendra Paswan in Cr. Misc. No.70578 of 2019 have been granted bail by different Benches of this Court. The orders are annexed as Annexure-3 to this petition.

The learned A.P.P opposed the prayer for bail of the petitioner submits that petitioner remained absconder.

Having heard the rival contentions of the parties and taking into consideration the fact that there is no specific allegation against the petitioner and he is in custody since 13.06.2018 and other co-accused persons have already been granted bail, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/0- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Aurangabad, Bihar in connection with Amba P.S. Case No. 12 of 2009, on the following conditions:-



“(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

(Harish Kumar, J)

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