

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57128 of 2021

Arising Out of PS. Case No.-176 Year-2017 Thana- BELHAR District- Banka

Nepali Yadav Son of Late Gurucharan Yadav Resident of Village - Bela, P.S.-
Belhar, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Belhar P.S. Case No. 176 of 2017, registered for the offence under Section 121, 121A, 120B of the Indian Penal Code, Sections 25(1-B)a, 26, 35 of the Arms Act and Section 13 of U.A.P. Act.

On a secret information that this petitioner alongwith his associates are going to commit some *naxal* act, a raid was conducted and one rifle, ten live cartridges and mobile phone were recovered from a hut and this petitioner is alleged to have fled away from the place of occurrence.

It is submitted on behalf of petitioner that on mere suspicion, this petitioner has been made accused. No arms and ammunition have been recovered either from conscious possession or premise of the petitioner. Recovery has been made



from the hut, which is situated in a forest, and does not belong to the petitioner. The seized mobile also does not belong to this petitioner and he is in custody since 28.02.2019.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 176 of 2017.

(Prabhat Kumar Singh, J)

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