

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59333 of 2021

Arising Out of PS. Case No.-105 Year-2018 Thana- GOH District- Aurangabad

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Ashutosh Yadav @ Yugal Yadav S/O Shivnath Yadav R/O Village-Gamhariya
(BHARAUNDHA), P.S-Gurua, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-04-2022 Let the defects, if any, be removed within four
weeks from today.

Learned counsel for the petitioner seeks permission to
make necessary correction in Para- 18 and 19 of the petition.

Counsel for the petitioner is permitted to make
necessary correction within course of the day.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Goh P.S.Case No.105 of 2018 for the offences punishable
under Sections 147, 148, 149, 385, 386, 120B of the Indian
Penal Code and section 17 of the CLA Act.

As per the prosecution case, it is alleged that the
police on secret information raided the place of occurrence and



upon seeing the police the accused persons , who are said to be Maosits began to flee away. One co-accused person namely, Sarju Ram was arrested and on whose discloser, the name of petitioner and other have transpired.

It is submitted on behalf of the learned counsel for the petitioner that the petitioner has neither been seen fleeing nor has been identified by any other person. His name has been transpired only on the statement of co-accused Sarju Ram. It is further submitted that this petitioner was arrested in connection with Madanpur P.S.Case No. 136 of 2018 on 06.06.2018 and thereafter, this petitioner was remanded in this case on 22.12.2020 and since then he is in custody. It is next submitted that other co-accused persons having similar allegation have already been granted bail by different Benches of this Court. The copy of said orders have been brought on record by way of Annexure-3 and 3/1 to this petition.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that petitioner is found to be the member of extremists group. Petitioner has four criminal antecedent.

Having heard the rival contentions of the parties and taking into consideration the fact that the name of petitioner transpired on the statement of co-accused and other co-accused



persons have already been granted bail by different Benches of this Court, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 105 of 2018, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

N.K/-

(Harish Kumar, J)

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