

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67667 of 2021

Arising Out of PS. Case No.-188 Year-2020 Thana- NATHNAGAR District- Bhagalpur

Mannu Yadav Son of Arjun Yadav Resident of Village- Raghopur, P.S.-
Madhusudanpur, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-05-2022 Heard counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks.

The petitioner is in custody in connection with Nath
Nagar P.S. Case No. 188 of 2020 registered under selections 4/5
of the Explosive Substances Act.

The prosecution case is that the informant of Nath
Nagar P.S. alleged that he along with some police personnel had
gone to station chowk relating to Nath Nagar P.S. Case No. 187
of 2020 for investigation and raid. On seeing the police, two
persons tried to flee but with the help of police officials one
person was apprehended and another succeeded to escape. The
apprehended person disclosed the name of this petitioner.

Learned counsel for the petitioner submits that he was



not caught on the spot and was named by the accused which led to implication in this case only because he has number of criminal cases lodged against him. He further submits that he is in custody since 28.8.2020 (as stated in para-11 of the bail application).

Considering the fact that the petitioner was not arrested from the spot, charge-sheet stands submitted and he is in jail since 28.8.2020; this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned IVth Additional District & Sessions Judge, Bhagalpur, in connection with Nath Nagar P.S. Case No. 188 of 2020, S.T. No.338/20 subject to the following conditions:-

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;



(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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