

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7052 of 2023

Arising Out of PS. Case No.-79 Year-2021 Thana- KAJRA District- Lakhisarai

JAWAHAR YADAV S/O JUGAL YADAV Resident of village- Tetari, P.S.-
Chanan, District- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 307, 427, 436, 385, 387, 120B of the Indian Penal Code and Sections 16, 17, 18, 20 of U.A.P. Act.

As per prosecution case, it is alleged that on 26.8.2021 all FIR named accused persons as well as 10-12 unknown assaulted the labours, who were engaged in the construction work of road near Imaliya Kol and set the tempo on fire. All the accused persons including the petitioner as members of the Nexalite Organization.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion.



From perusal of FIR, the allegations have been made against the petitioner is general and omnibus in nature. There is no specific overt-act attributed against the petitioner. Moreover, similarly situated co-accused namely, Bambam Yadav has already been granted bail by a co-ordinate Bench of this Court vide order 8.8.2022 passed in Cr. Misc. No. 23546 of 2022 and in support of this Annexure-2 has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 15.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kajra P.S. Case No. 79 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class Lakhisarai.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

