

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15983 of 2023

Arising Out of PS. Case No.-133 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

JAWAHAR YADAV S/O YUGAL YADAV Resident of village- Tetariya, 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. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 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, 307, 353, 121, 121(A), 124 of the Indian Penal Code, section 25(1-b)a, 26, 27, 35 of the Arms Act and Section 16, 17, 18, 20, 21, 22, 23 of the U.A.P. Act.

As per prosecution case, the police party raided at the place of occurrence after getting secret information about several Naxals who were assembling and preparing for committing offence. The police party recovered some incriminating weapons from the place of occurrence. During this incident, the accused persons were also making fire upon the police party.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that during course of investigation the name of the petitioner came into light on the basis of confessional statement of co-accused Raj Kumar Koara, before police, who has already been granted bail by a co-ordinate Bench of this Court vide order dated 22.12.2022 passed in Cr. Misc. No. 47306 of 2022, hence, the case of this petitioner stands on similar footing of that of the co-accused. There is no specific allegation of firing has been made against the petitioner. Nothing has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 28.7.2022.

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 Piribazar P.S. Case No. 133 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 J.M. 1st Lakhisarai.

(Sunil Kumar Panwar, J)

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