

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22446 of 2023

Arising Out of PS. Case No.-13 Year-2014 Thana- DUMARIYA District- Gaya

Subedar Yadav @ Subedar Ji, Son Of Jattu Yadav, R/O Village- Mahulniya,
P.S.- Chakkarbandha, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari
For the Opposite Party/s : Mr.Lalan Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Dumariya P.S. Case No. 13 of 2014 dated 19.08.2014 registered for the offences punishable u/s 147, 148, 149, 341, 353, 307, 120B of the Indian Penal Code and Section 27 of the Arms Act and Section 17 of the Criminal Law (Amendment) Act.

As per the prosecution case, the petitioner and the co-accused person along with 200 *maowadi* nexalites are



alleged to have fired on the police. When the firing was stopped, the police searched the place and various bullet shells, weapons and other materials were recovered.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. The petitioner has got 12 criminal antecedents as stated in para 3 of the bail petition. There is nothing against the petitioner except the criminal antecedents. The petitioner is in custody since 16.10.2020.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, (Sherghati), Gaya in connection with Dumariya P.S. Case No. 13 of 2014 corresponding to G.R. No. 357/2014 with a following condition :-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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