

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32795 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- CHANAN District- Lakhisarai

Guddu Yadav @ Guddan Yadav S/o Karu Yadav R/o village- Mahuliya, P.S.-
Chanan, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigendra Kumar Mr. Mayank Bilochan, Advocates
For the State	:	Mr. nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 24-02-2023 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 364(A)/34 of the Indian Penal Code and Section 27 of the Arms Act and Section 16/18/20 of Unlawful Activities (Prevention) Act. .

Allegation against the petitioner is that he along with 30-40 accused persons, who are *Naxals* have kidnapped Ramji Yadav and his son Dharmvir Kumar @ Kumkum for demanding ransom money.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case but fairly submits that after filing the present bail petition, the petitioner has been remanded in three other cases i.e. (1) Piribazar P.S. Case No. 133 of 2021 (2) Piribazar P.S. Case No. 162 of 2021 and (3) Piribazar P.S. Case No. 163 of 2021. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against 30-40 accused persons including the petitioner. He further submits that there is no specific allegation of any assault or overt act against the petitioner and the victim was recovered and his statement was recorded under Section 161 of the Cr. P.C. in which he has not taken the name of the petitioner. He further submits that except suspicion, no other cogent material has come during investigation against the petitioner and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.04.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chanan P.S. Case No. 13 of 2022, with the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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