

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67036 of 2021**

Arising Out of PS. Case No.-25 Year-2020 Thana- ROSHANGANJ District- Gaya

MANDEEP YADAV @ MATAL Son of Hari Yadav Resident of Village-  
Mahulaniya, P.S.- Chhakarbandha, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 67786 of 2021**

Arising Out of PS. Case No.-25 Year-2020 Thana- ROSHANGANJ District- Gaya

AKHILESH BHUIYAN @ AMRESH BHUIYAN Son of Kuleshwar Bhuiyan  
Resident of Village - Nimiya Rehla, Purnadih Tola, P.S.- Suhail, Salaiya,  
Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 67036 of 2021)

For the Petitioner/s : Mr.Md. Jubair Ansari, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, App

(In CRIMINAL MISCELLANEOUS No. 67786 of 2021)

For the Petitioner/s : Mr.Md. Jubair Ansari, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, App

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

4      13-02-2023                      Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order failing which the matter be listed again under the appropriate heading for necessary action.

As both the criminal miscellaneous petitions have arisen out of same P.S. case, hence they are being taken up



together.

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

Petitioners seek regular bail in connection with Raushanganj (Bankebazar) P.S. Case No. 25 /2020 registered for the offences punishable under Sections 147, 148, 149, 120(B), 121(A), 124(A), 427 of Indian Penal Code and Sections 10, 13, 16, 18, 20 of U.A.P. Act, Section 17 of the C.L.A Act and Sections 3 and 4 of Explosive Substances Act.

As per the prosecution, an FIR has been registered against thirty-one named persons including the petitioners over exploding a middle school building using dynamite and said explosion was alleged to have been committed by some naxalite group.

It is submitted by learned counsel Mr. Md. Jubair Ansari for the petitioner, Mandeep Yadav @ Matal that in following with the rehabilitation policy of the State Government, the petitioner surrendered before higher police officials and he was given assurance for his security as well as rehabilitation in the society and against the petitioner, there are criminal antecedent of eight cases, in which he has got bail and the purpose of surrender of the petitioner was to bring him in the



mainstream of society and in the present matter, petitioner has been languishing in jail since 09.08.2021.

In respect of petitioner Akhilesh Bhuiyan @ Amresh Bhuiyan, it is submitted by his learned counsel that the petitioner also surrendered in following with the rehabilitation policy of the State Government and against him, there are criminal antecedent of six cases in which he has got bail and he has been languishing in jail since 13.10.2020 and in the present matter, there is no specific allegation against the petitioner and several persons were alleged to be involved in the alleged explosion of the school building.

Learned APP appearing for the State has opposed the bail prayer of the petitioners mainly on the ground of their involvement in several heinous offences being pending against both the petitioners.

Heard both the sides and perused the case diary as well as annexures annexed to both the petitions.

As both the petitioners surrendered before higher police officials following with the rehabilitation policy of the State Government and there is no allegation against both the petitioners being involved in other criminal activity after their surrender and in this regard, the prosecution has not brought



any fact before this Court and both the petitioners have got bail in other cases which have been shown pending against them as stated by their counsels and in the present matter several persons were alleged to be involved in the alleged crime, and keeping both the petitioners behind the bar will frustrate the State Government's policy regarding rehabilitation of the petitioners, in the opinion of this Court a lenient approach can be taken in respect of the petitioners' prayer, let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Raushanganj (Bankebazar) P.S. Case No. 25 /2020.

**(Shailendra Singh, J)**

Sanjay/-

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