

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64416 of 2022**

Arising Out of PS. Case No.-163 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

JAWAHAR YADAV S/O Yugul Yadav R/O 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, Advocate.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP.

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

ORAL ORDER

2 22-03-2023 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 from today.

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 Piribazar P. S. Case No. 163 of 2021 registered for the offences punishable under Sections 147, 148, 149, 307, 333 and 353 of the Indian Penal Code and Sections 25(1-A), 26 and 27 of the Arms Act and Sections 3, 4 and 5 of the Explosive Substance Act and Section 16, 18, 20 and 23 of the Unlawful Activities (Prevention) Act.

As per the prosecution case, the petitioner and co-



accused persons with 15-20 Moists are alleged to have abducted the son of the informant. On being protested by the informant and the police, they opened fire on the prosecution party. It is further submitted that during course of search operation, a dead body along with A.K.-47 and 7.62 mm live cartridges was found in the orchard of Dainik Bind. The said dead body was identified by the Chaukidar as a Hardcore Naxal namely Pramod Kora.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. There is general and omnibus allegation against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner was not involved in any type of anti-social activities. The similarly situated co-accused person has already been granted bail by co-ordinate Bench of this Court vide order dated 24.08.2022 passed in Cr. Misc. No. 16734 of 2022. The petitioner is also accused in five other criminal cases which are of the year 2021. The petitioner is in custody since 05.03.2022.

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



Considering the aforesaid facts and circumstances of the case, 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, Lakhisarai in connection with Piribazar P. S. Case No. 163 of 2021 with the 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 bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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