

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69652 of 2022

Arising Out of PS. Case No.-399 Year-2013 Thana- TEKARI District- Gaya

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Sidhnath Yadav @ Ramchandra Yadav @ Vikash Yadav Son Of Late Shalik
Yadav Resident Of Village - Narayanpur, P.S.- Bandeya, District -
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Tikari P.S. Case No. 399 of 2013 registered under sections 379, 353, 341, 342, 147, 148, 149, 435 and 427 of the Indian Penal Code and Section 27 of the Arms Act, Section 17 of C.L.A. Act and Sections 16, 18 and 20 of U.A.P. Act.

The prosecution case in short is that a Naxal attack was done on the camp office of K.K. Construction in which office was set on fire resulting into damage of several vehicles including truck, J.C.B. and other vehicles by the six named and twenty five to thirty unnamed miscreants. They also took away



mobile phones along with money.

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 for para- 11 of this petition that the petitioner was in judicial custody since 2014 to 2017 in Goh P.S. Case No. 4/2011 in which he was enlarged on bail in the year 2017 but never remanded in the present case, in spite of the fact that petitioner's name and parentage came into light on the basis of co-accused confessional statement. Neither anything incriminating has been recovered from his conscious possession nor he has been put on T.I.P. He has no concern with the alleged occurrence. There is no consistent evidence against the petitioner and also no eyewitness of the alleged occurrence. He is languishing in judicial custody since 27.01.2022.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Tikari P.S. Case No. 399 of 2013 on furnishing



bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya.

(Sunil Kumar Panwar, J)

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