

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66 of 2023

Arising Out of PS. Case No.-179 Year-2003 Thana- BAHADURPUR District- Darbhanga

HRIDAY NARAYAN YADAV @ HIRDAY NARAYAN YADAV, Male, aged about 75 years, son of late Saryug Yadav, resident of village- Amapatti, Police Station, Bahadurpur (Pator O.P.), District, Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 28-04-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with T.R. No.191 of 2016 arising out of Bahadurpur P.S. Case No. 179 of 2003 dated 01.12.2003 registered for the offence(s) punishable under Section(s) 147, 148, 149, 353, 307, 506, 186 and 109 of the Indian Penal Code, Section 27 of the Arms Act, Section 3/4 of the Explosive Substance Act, Section 13(a-b) of Unlawful Activities (Prevention) Act and Section 131(2) of People Representative Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the alleged offence under Section 307 of Indian Penal Code is not made out and at



maximum the alleged occurrence may attract Section 353 of Indian Penal Code and on the place of occurrence, only four used empty cartridges were recovered and as per allegation, the police also fired four rounds so the allegation as to firing and throwing bombs by this petitioner and his supporters at the place of occurrence is completely false and moreover the petitioner is 75 years old and in this regard, a copy of his Aadhar Card has been filed along with the petition and he has been languishing in jail for last nine months, against the petitioner, there is criminal antecedent of one case which was lodged under the offences punishable under Sections 147, 341, 323 and 379 of Indian Penal Code in which he is on bail and in the present matter, investigation has been completed. Further submission is that in the alleged explosion of bomb, no one sustained any kind of injury.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's old age and also the facts that against him, the investigation has been completed and admittedly no one sustained injury in the alleged occurrence, in the opinion of this Court a lenient approach can be taken in respect of the



petitioner’s prayer, let the petitioner be released on bail in connection with T.R. No.191 of 2016 arising out of Bahadurpur P.S. Case No. 179 of 2003 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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