

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11349 of 2024

Arising Out of PS. Case No.-115 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

Gopal Yadav S/O Masudan Yadav R/o vill - Mahuliya, P.S. - Chanan, Distt. -
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Opposite Party/s : Mr.Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Piri Bazar P.S. case No. 115 of 2019 instituted for the offences under Sections 147, 148, 149, 307, 353, 120(B) of Indian Penal Code and Sections 25(1-b), 26, 27, 35 of the Arms Act and Sections 16, 18 and 20 of U.A.P. Act.

3. Prosecution allegation, in short, is that on receiving secret information about gathering of miscreants near Bhim Bandh in the forest for the purpose of committing the heinous offence, the police force arrived there where firing started from both sides. When the firing was stopped then the force recovered huge arms and ammunitions and huge blood was



found at the place of occurrence. While several extremists succeeded to flee away but one Manish Kumar was apprehended at the spot. On query, Manish Kumar disclosed the names of 74 persons including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The name of the petitioner has transpired on the basis of confessional statement of co-accused Manish Kumar. The petitioner has not been arrested on the spot. No incriminating material has been recovered from the conscious possession of the petitioner. Several co-accused persons have been anticipatory bail by different Coordinate Benches of this Court vide Annexure-P/2 series. The petitioner is in custody since 16.08.2023 and has been remanded in this case on 19.10.2023. The petitioner has as many as 21 criminal antecedents.

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

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the fact that several co-accused persons have been granted anticipatory bail by this Court, this Court is inclined to grant



bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Piri Bazar P.S. case No. 115 of 2019.

(Rudra Prakash Mishra, J)

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