

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17184 of 2024

Arising Out of PS. Case No.-75 Year-2015 Thana- ATRI District- Gaya

Sadhu Yadav, aged about 39 years, Gender-Male, Son of Gopal Yadav @
Gopal Prasad Yadav, Resident of Village- Sukhe Bigha, Police Station- Atri,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Atri PS
Case No. 75 of 2015 instituted for the offences punishable under
Sections 147, 148, 149, 323, 324, 325, 326, 307, 353, 427 and
395 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, there is allegation
against 30 persons named in the FIR and 150 unnamed, who are
said to have assaulted a police personnel of Special Armed
Police.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. There is only allegation



against the petitioner was that he was merely a member of mob. It is stated that there was local chowkidar present at the place of occurrence but in the whole prosecution story it is nowhere stated that the local chowkidar was present. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 26.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-XI, Gaya dated 23.01.2024, it appears that the only allegation is that he was merely a member of mob. Similarly situated accused persons have been granted bail by different Benches of this Court vide Annexures- 2 to 8 of the petition, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, Gaya in connection with Atri P.S. Case No. 75 of 2015.

(Ramesh Chand Malviya, J)

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