

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2300 of 2024

Arising Out of PS. Case No.-34 Year-2013 Thana- CHANAN District- Lakhisarai

Gopal Yadav S/o Masudan Yadav R/o village-Mahuliya, P.S-Chanan, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Anish Chandra

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

ORAL ORDER

3 20-03-2024 Heard learned counsel for the petitioner and learned APP for the State. The petitioner is in custody in connection with Chanan P.S. Case No. 34 of 2013 registered for an offence punishable under Sections 147, 148, 149, 307/427 of the Indian Penal Code and Sections 16/18(b)/20 of the UAP Act 1967 and Sections 3/ 4 of the Ex. Act.

As per prosecution case, the informant got information that firing is being made after stopping Dhanbad Patna Intercity express train and on such, he along with other police personnel reached at the place of occurrence and saw that large persons have been



made after exploding bomb. The informant suspected that explosion has been made by the unknown Naxalites for killing the police personnel and looting their arms.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next submits that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is in judicial custody since 16.08.2023.

However, learned APP for the State opposes the prayer for regular bail of the petitioner.

On perusal of the first information report, impugned order and seizure list, it appears that on the basis of the written report, the name of the petitioner surfaced during investigation and there is no recovery from the possession of the petitioner and four persons have already been granted regular bail by different Coordinate Benches of this Court passed in Cr. Misc. Nos.1588 of 2021, 34983 of 2021, 26312 of 2019 and



Cr. Misc. No. 79941 of 2018 respectively, considering which, I am inclined to grant bail to the petitioner. Accordingly, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M, 1st Lakhisarai in connection with Chanan P.S. Case No. 34 of 2013 with condition that the petitioner shall be present on each and every date til conclusion of the trial.

(Ramesh Chand Malviya, J)

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