

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8894 of 2025

Arising Out of PS. Case No.-31 Year-2014 Thana- ROSHANGANJ District- Gaya

Shivnandan Yadav @ Bachan Jee Son of Late Chhathan Yadav village- Harhi,
Po - Bhadwar, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with Roshanganj (Bankebazar) P.S. Case No. 31 of 2014 dated 02.04.2014 registered for the offence punishable under Sections 147, 148, 149, 120(B), 121(A), 122, 124(A), 307, 353 of the Indian Penal Code, Sections 3, 4, & 5 of Explosive Substance Act and Sections 13, 16, 18, 20 U.A.P. Act and 17 of C.L.A. Act .

3. The prosecution case, in brief, is that on the alleged date of occurrence after getting secret information with regard to gathering of Naxalites near Delho, a raid was conducted by the informant along with 20 police personnel where petitioner along with other FIR named accused as



well as 25-30 unknown miscreants started to flee after seeing police party and after search one cane bomb was recovered, accordingly, a seizure list was prepared.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that nothing has been recovered either from conscious possession of the petitioner or from his house, rather, the cane bomb was recovered from west side of the field of Lattu Yadav. It is submitted that the petitioner was arrested on 18.09.2024 and at the time of arrest no incriminating articles or naxal articles have been recovered from conscious possession of the petitioner. It is further submitted that the petitioner has no concern or contact with any extremist organization. Lastly, it has been submitted that the petitioner is in custody since 19.09.2024, having three criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the



parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Sherghati, Gaya in connection with Roshanganj (Bankebazar) P.S. Case No. 31 of 2014, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner shall appear before the Police Station of his local area every fortnight to mark his



attendance till framing of the charge.

(Khatim Reza, J)

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