

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41966 of 2025

Arising Out of PS. Case No.-17 Year-2009 Thana- KAUWAKOL District- Nawada

Shambhu Yadav @ Shambhu Suman @ Shambhu Shubham S/O Late Dwarika Yadav, Resident of Village - Lalpur, P.S.- Kauwakol, District- Nawada, Presently residing at Kauwakol Bazar, , P.O. and P.S.- Kauwakol, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 08-08-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kauwakol P.S. Case No. 17 of 2009 instituted for the offence under Sections 302, 307, 324, 326, 353, 379, 120B & 121A of the Indian Penal Code (in short 'IPC'), under Section 27 of the Arms Act, under Sections 3 & 4 of the Explosive Substances Act and under Section 17 of the CLA Act.

3. The case of the prosecution is that on 09.02.2009 at 11:45 A.M., Saint Ravidas Jayanti was being celebrated in the village Mahulia Tad in the district of Jamui and in course of that people even from the neighbouring State, namely, Jharkhand had come on the occasion. In course of celebration, all of a



sudden there was a explosion and firing. The informant alleged that 100-150 maoists variously armed open firing at the police personnel, resulting in death of 13 personnels.

4. Learned counsel for the petitioner has submitted that from perusal of the FIR it will transpire that the in the last portion of the FIR the informant claimed that Ajeet Yadav has and his personal bodyguard were on the dais. No firing was made against them. It shows that they were having connivance with maoists. Learned counsel for the petitioner has further submitted that after investigation, police has submitted final form but the learned trial court has taken cognizance. It has also been submitted that similarly situated co-accused Maheshwar Yadav who was also on the dais has been granted bail by this Court vide Cr. Misc. Case No. 40374 of 2025. The case of this petitioner stands on similar footing.

5. Learned APP for the State has vehemently opposed the bail application.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the court below within a period of four weeks from today and in the event of his arrest or surrender



in connection with Kauwakol P.S. Case No. 17 of 2009, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 1st, Nawada, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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