

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40374 of 2025

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

Maheshwar Yadav S/o Late Dhaneshwar Yadav R/o Village- Taraun, P.S.-
Kauwakol, District- Nawada, Bihar 805106

... .. 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.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-07-2025 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 2019 instituted for the offence under Sections 302, 307, 324, 326, 353, 379, 120B and 121A of the Indian Penal Code and Section 17 of the CLA Act.

3. The case of the prosecution is that on 09.02.2009 at 11.45 A.M., Sant Raviudas 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 opened firing at the police personnel, resulting in death of 8 police personnel.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that after investigation, police has filled final form and the learned trial Court deferred from the final form took cognizance against the petitioner. It is further submitted that the name of the petitioner has surfaced merely on suspicion. No overt Act is alleged against the petitioner. It is further submitted that similarly situated co-accused person has since been extended the privilege of bail vide order dated 18.03.2011 passed in Cr. Misc. No. 28574 of 2010.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

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 ACJM-1st Nawada, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. Since it is a case of 2009, petitioner is directed to surrender before the trial court within a period of four weeks from today. It is further directed that the petitioner shall co-operate in the trial and to make present himself whenever required.

(Ashok Kumar Pandey, J)

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