

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48310 of 2025

Arising Out of PS. Case No.-93 Year-2016 Thana- ROSHANGANJ District- Gaya

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Ganesh Yadav @ Vimal Ji @ Vimal Yadav S/o Late Musafir Yadav @
Mahavir Yadav R/o Village- Jamuniya, P.S.- Madanpur, District- Aurangabad
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Adarsh Singh, Advocate Mr. Rabish Kumar, Advocate Mr. Khalid Faiza. Advocate Mr. Ravikant Kumar, Advocate
For the Opposite Party/s :		Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 342, 326, 307, 302, 353, 414, 332, 333, 121(A), 122 and 124 of the Indian Penal Code, Sections 24(1A), 25 (1AA), 26, 27 (3) and 35 of the Arms Act, Section 16 (1) (a), 20 and 38 of Unlawful Activities, Section 17 of the CLA Act and Section 3/4 of the Explosive Substance Act.

3. The case of the prosecution is that the Superintendent of Police, Aurangabad came to know that the naxalites including the FIR named accused persons and 50-60



other unknown persons had assembled at the place of occurrence and were conspiring to commit crime whereafter, the Superintendent of Police, Aurangabad and police battalion reached the said place of occurrence for the purpose of apprehending the naxalites. It is further alleged that in the firing between the naxalites and police personnel, 10 police personnel lost their lives.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that from perusal of the FIR itself, it is clear that the allegations are very grave but from perusal of the FIR, it is also clear that the name of the accused persons has been disclosed by locals and in the last portion of the FIR, it is also stated that the accused persons were talking amongst them by their name. This seems very absurd. It is further submitted that the nature of allegation is general and omnibus. There is no specific allegation against this petitioner. It is further submitted that similarly situated accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 21.08.2023 and 05.04.2023 passed in Cr. Misc. No. 23015 of 2023 and Cr. Misc. No. 19605 of 2023. Moreover, the petitioner is languishing in judicial



custody since 14.03.2022.

5. Learned APP appearing for the State Vehemently has opposed the prayer of regular bail stating that the petitioner has three criminal antecedent.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Roshanganj (Bankebazar) P.S. Case No. 93 of 2016 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge, 1st Sherghati, Gaya.

(Ashok Kumar Pandey, J)

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