

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
I.A. No. 2114 of 2024**

In

Cr. Appeal (D.B.) No. 229 of 2024

Rajkeshwar Yadav @ Vinod Yadav Appellant
Versus
The State of Jharkhand Respondent

**CORAM: Hon'ble Mr. Justice Rongon Mukhopadhyay
Hon'ble Mr. Justice Deepak Roshan**

For the Appellant : Mr. Ramesh Kumar, Adv.
For the Respondents : Mrs. Priya Shrestha, Spl.PP

4/30.04.2024 Heard Mr. Ramesh Kumar, learned counsel for the appellant and Mrs. Priya Shrestha, learned Spl.P.P appearing for the State.

2. This interlocutory application has been preferred by the appellant for condoning a delay of 14 days in filing the appeal.

3. Having been satisfied with the reasons assigned in the instant application, the same is allowed and the delay of 14 days in filing the appeal is hereby condoned.

4. I.A. No.2114 of 2024 stands disposed of.

Cr. Appeal (DB) No. 229 of 2024.

5. This appeal is directed against the order dated 05.01.2024 passed in B.P. No. 844 of 2023, by the learned Additional Sessions Judge-VI, Palamau at Daltonganj, arising out of Chhattarpur, P.S. Case No. 166 of 2023; whereby and whereunder the prayer for bail of the appellant has been rejected.

6. It has been alleged that the appellant and another accused person were apprehended by the police and from their possession two mobiles were recovered and from the *dickey* of the motorcycle Rs. 5,00,000/- was recovered. It has further been alleged that the amount which was recovered was on account of levy collected which was to

be handed over to the Zonal Commander of an extremists group.

7. Submission has been advanced by the learned counsel for the appellant that the appellant is in custody since 3.09.2023. It has further been submitted that the embargo under section 43 (D) (V) of the UPA Act will not be attracted on the ground that the allegations levelled against the appellant come under chapter III of the UAP Act.

8. Learned Spl. P.P. has opposed the prayer for bail of the appellant.

9. Regard being had to the period of custody of the appellant we while setting aside the order dated 05.01.2024 passed in B.P. No. 844 of 2023, by the learned Additional Sessions Judge-VI, Palamau at Daltonganj, arising out of Chhattarpur, P.S. Case No. 166 of 2023, direct that the appellant 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 Additional Sessions Judge-VI, Palamau at Daltonganj, arising out of Chhattarpur, P.S. Case No. 166 of 2023

10. Accordingly, this appeal is allowed.

(Rongon Mukhopadhyay, J.)

Amardeep/

(Deepak Roshan, J.)