

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33666 of 2015

Arising Out of PS.Case No. -66 Year- 2015 Thana -KASIMBAZAR District- MUNGER

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Raushan Yadav @ Raushan Kumar, son of Girdhari Yadav, resident of
Mohalla- Sandalpur, Jhajha Tola, P.S.- Kasim bazar, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv.

For the Opposite Party/s : Mr. Manoj Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-08-2015 Heard the learned counsel for the petitioner and the learned
counsel for the State.

The petitioner is languishing in jail custody since
13.04.2015 in connection with Kasim Bazar P.S. Case No. 66 of
2015 for offences alleged under Sections 386, 326, 307/34 of the
Indian Penal Code, 27 of the Arms Act along with Section 3/4 of
the Explosive Substance Act.

The prosecution case is that on 12.04.2015 at about 7.00
A.M the informant Raj Kumar Sah has submitted a written report
before the S.H.O of Kasim Bazar Police Station stating inter-alia
that about one month ago co-accused Rana Yadav had demanded
Rs. 2 lacs as extortion from the informant for which he had
lodged an F.I.R bearing Kasim Bazar P.S. Case No. 50 of 2015
against said Rana Yadav. It has further been alleged that on
11.04.2015 about 10.30 P.M the accused Rana Yadav, this



petitioner and other unknown miscreants came at his house on a motorcycle and called his brother Ashok Sah. On call when nephew of the informant namely, Sumit Anand opened the door, Rana Yadav fired upon him which hit on his abdomen. It has further been alleged that informant and others chased the miscreants then the miscreants throw bomb which hit on a wall and exploded. In spite of that they chased the miscreants then the miscreants made firing as a result, one Mukesh Yadav sustained fire arm injury. In the meanwhile, miscreants fell down from the motorcycle and fled away leaving the motorcycle. It has further been said that nephew of the informant and Mukesh Kumar were brought to Sadar Hospital, Munger from where his nephew was referred to Patna for better treatment.

It has been submitted by the learned counsel for the petitioner that he has been falsely implicated in the instant case and there is no allegation in the FIR that he accompanied the co-accused Rana Yadav to the house of the informant and even the motorcycle belongs to one Bhuneshwar Mandal and not to him. It has further been submitted that there is an enmity between the parties due to land dispute.

Under such circumstances, let the petitioner, Raushan Yadav @ Raushan Kumar, be enlarged on bail on 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 1st Class, Munger in connection with Kasim Bazar P.S. Case No. 66 of 2015 corresponding to G.R. No. 655 of 2015.



(Nilu Agrawal, J)

Prakash/-

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