

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.18019 of 2021**

Arising Out of PS. Case No.-199 Year-2020 Thana- LAUKAHA District- Madhubani

RAJENDRA YADAV SON OF GUDAR YADAV R/O VILLAGE-  
DHARMAPUR, P.S.- LAUKAHA, DISTRICT- MADHUBANI.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

4      05-10-2021              Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Laukaha P.S. Case No. 199 of 2020 corresponding to G.R. No. 1347 of 2020 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act. He is in custody in this case since 26.07.2020. The petitioner has got one criminal antecedent in which he is said to be on bail.

As per the prosecution story, the informant got secret information that some miscreants are planning to commit crime



near R.D. Chowk. The police party reached at the said place and on seeing police accused persons tried to flee away but two persons, including this petitioner, were apprehended. Upon search several mobile phones of Samsung company were recovered from the possession of the petitioner and the petitioner disclosed that he had thrown his arms in river.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the name of the petitioner has transpired in the confessional statement of the co-accused and there is no recovery of any arm or ammunition from the possession of the petitioner.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the name of the petitioner has transpired in the confessional statement of the co-accused, there is no recovery of any arm or ammunition from the possession of the petitioner and that the petitioner has remained in jail in connection with the present case since 26.07.2020, the petitioner has got one criminal antecedent in which the petitioner is said to be on bail, so far as the present case is concerned, investigation against him



is complete but the trial is not likely to be concluded in near future, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Judicial Magistrate, Jhanjharpur in connection with Laukaha P.S. Case No. 199 of 2020 corresponding to G.R. No. 1347 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

Rishi/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

