

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37544 of 2020

Arising Out of PS. Case No.-134 Year-2019 Thana- KUMAR KHAND District- Madhepura

Rupesh Yadav @ Rupesh Kumar Yadav Son Of Kameshwar Yadav Resident
Of Village - Rauta, P. S. - Kumarkhand, District - Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-02-2021 Heard the parties through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Kumarkhand P.S. Case no. 134 of 2019 registered under sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the FIR, on receiving information about criminals having looted a motorcycle, the informant reached the place of occurrence from where it transpired that one of the accused person was Randhir Yadav. Thereafter, on reaching the house of Randhir Yadav, it is stated that seeing the police party three persons managed to escape, one accused person was caught who disclosed the name of the three other persons who had fled away which included the petitioner herein. On perusal of the materials on record it



transpires that the name of the petitioner transpires in the confessional statement of a co-accused made before the police. No incriminating article has been recovered from his possession. Co-accused Abhimanyu Kumar Yadav and Babul Yadav have been enlarged on bail vide orders which are Annexures 2 and 3 to the petition. The petitioner is in custody since 1.8.2019.

The application for bail is opposed by learned APP for the State who submits that the petitioner has four criminal antecedents.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 1.8.2019 and no incriminating material having been recovered from the possession of the petitioner, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kumarkhand P.S. Case no. 134 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st, Madhepura.

(Partha Sarthy, J)

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