

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41629 of 2021**

Arising Out of PS. Case No.-92 Year-2005 Thana- MADHUBAN District- East Champaran

KEDAR RAUT Son of Moti Raut R/o Village- Harnath (Harnathpur), P.S.-
Pakaridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 17-01-2022 Heard learned counsel for the petitioner and the
State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 307 and other ancillary sections of the Indian Penal Code, sections 25(1-B)a, 26, 27 and 35 of the Arms Act, section 17 of the Cr.LA Act and ³/₄ of the Explosive Substance Act.

As per the prosecution case, about 500 extremists are alleged to have attacked the bank, Madhuban police station, block office, etc. and when the police party reached there, they made indiscriminate firing and looted away some arms and communications of the police party.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Petitioner's name has figured during course of investigation. Petitioner is in custody since 3.11.2020. Similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide paragraph 13 of the bail petition.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class East Champaran at Motihari in Madhuban Police Station Case No. 92 of 2005.

(Prabhat Kumar Singh, J)

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