

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33403 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

1. RAUSHAN YADAV @ RAUSHAN KUMAR S/o Jitendra Yadav R/o village- Baharar, P.S.- Sasaram (M), District- Rohtas
2. Kallu Yadav @ Jalendra Kumar S/o Raj Nath Yadav R/o village- Baharar, P.S.- Sasaram (M), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary

For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 10-08-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.2 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.2.

In view of the aforesaid submission, the application is dismissed as withdrawn as **having become infructuous as against petitioner no.2.**

Petitioner no. 1 apprehends his arrest for the offences



alleged under Sections 413 and 414 of the Indian Penal Code, registered in connection with Sasaram (M) P.S.Case No. 52 of 2022.

As per allegation, the police got an information that the accused persons named in the FIR including the present petitioners had concealed a stolen motor-cycle in the khalian of co-accused Pintu Yadav. The miscreants became successful in fleeing away and the motor-cycle was recovered from the khalian of co-accused Pintu Yadav.

Learned counsel for the petitioners has submitted that the stolen motor-cycle was not recovered from the possession of the petitioner Raushan Yadav @ Raushan Kumar. He has submitted further that he is a person of clean antecedent. He was not arrested at the spot.

Considering the above facts and circumstances, especially the clean antecedent of petitioner no.1, let him above named, in the event of his arrest or surrender within four weeks from the date of communication of this order, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S.Case No. 52 of 2022, subject



to the conditions as laid down under Section 438(2) Cr. P.C. **The learned court below will verify the criminal antecedent of the petitioner. If it comes to the notice of the learned court below that the petitioner is implicated in any other case, the learned court below will be at liberty to cancel his bail bond.**

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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