

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52220 of 2021

Arising Out of PS. Case No.-511 Year-2019 Thana- SAHARSA SADAR District- Saharsa

RAMAN KUMAR YADAV @RAMAN YADAV Son of Dinesh Yadav @
Dinesh Dinkar @ Umesh Yadav Resident of Village - Kayasth Tola, Ward No.
28, P.S. - Saharsa, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-04-2022 Heard Mr. Shiva Shankar Sharma, learned counsel
for the petitioner and Mr. Umanath Mishra, learned Additional
Public Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Saharsa Sadar (Sonbarsa Kachahari) PS Case No. 511/2019
registered for the offence punishable under Sections 399, 400,
401, 402, 411, 414, 412 of the IPC and 25 (1-b)a, 26, 35 of the
Arms Act.

Prosecution case in a nutshell is that while the police was on
duty with regard to recovery of one looted motorcycle received
an information that some miscreants have assembled in nearby
place and were planning to commit serious offence, proceeded
towards the place of occurrence and arrested six persons along



with fire-arms and two stolen motorcycles from their possession. Name of the petitioner has been disclosed by one of the arrested co-accused that recovered motorcycles were looted by one Anshu Kumar, Raman Kumar, this petitioner and Manish Yadav. On indication of one arrested co-accused, Vinit Kumar, two motorcycles were recovered from the possession of Anshu Kumar and Manish Yadav respectively.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of disclosure of his name by arrested co-accused and he has not committed any offence in the manner alleged. He further submits that no incriminating and or looted article has been recovered from the possession of the petitioner and he is in custody since 16.12.2019. It is next submitted that co-accused persons have been granted bail *vide* Annexures-2 to 5.

Insofar as criminal antecedents of the petitioner as mentioned in para-3 of the instant bail application is concerned, learned counsel referring to supplementary affidavit, submits that due to inadvertent error committed by the learned counsel of the court below, 15 cases as criminal antecedents have been mentioned in para-3 of the bail petition whereas the petitioner has got only five cases as criminal antecedents. The charge-



sheet has been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the charge sheet has been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences, no incriminating and or looted article has been recovered from the possession of the petitioner, petitioner is in custody since 16.12.2019 and co-accused, persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, RAMAN KUMAR YADAV @RAMAN YADAV be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar (Sonbarsa Kachahari) PS Case No. 511/2019.

(Anil Kumar Sinha, J)

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