

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54043 of 2021**

Arising Out of PS. Case No.-262 Year-2019 Thana- RAGHOPUR District- Supaul

Rajesh Kumar Son of Surendra Prasad Yadav Resident Of Village- Lawapur,  
Mahnar P.S. Mahnar Dist.- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate  
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      15-10-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Raghapur  
P.S. Case No. 262 of 2019 registered for the offence under  
Sections 399, 402, 353, 307 and 414 of the Indian Penal Code  
and under Sections 25(1-b)a, 26, 35 and 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in  
custody since 16.12.2020.

The allegation against the petitioner is to make  
preparation for dacoity and while preparing so found in  
possession of fire arms, alongwith other co-accused persons  
with further allegation, as when raid was conducted by the



police, a fire was opened by accused persons including this petitioner.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of disclosure made by apprehended co-accused persons, namely, Rahul Kumar Mandal and two others, where Rahul Kumar Mandal has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 51065 of 2021 vide order dated 24.11.2021. It is further submitted that no incriminating material recovered/surfaced, which may connect this petitioner with present allegation that petitioner, alongwith other co-accused persons were involved in preparation of dacoity, as alleged. It is also pointed out that petitioner found involved in three more criminal cases, where he is on bail. While concluding the argument, it has been submitted that investigation has been completed long back, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced during the course of investigation to connect this petitioner with



present allegation of preparation of docoity on its face coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Raghopur P.S. Case No. 262 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 learned A.D.J.-IV, Supaul/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

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