

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53661 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- ANDHRAMATH District- Madhubani

RAUSHAN KUMAR YADAV SON OF AMRIT YADAV R/O VILLAGE-
JARAULI, P.S.- ANDHRAMATH, DIST.- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shrinandan Pd. Singh, Sr. Adv.
		Mr. Prakritita Sharma, Adv.
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard Mr. Shrinandan Pd. Singh, learned senior
counsel for the petitioner and Mr. Nagendra Prasad, learned
Additional Public Prosecutor for the State *via* virtual mode.

The petitioner seeks regular bail in connection with
Andhramath Police Station Case No. 23 of 2021, registered for
the offences punishable under Sections 399/401/402/414/34 of
the Indian Penal Code and Sections 25 (1-b)a/26/35 of the Arms
Act.

The prosecution case, as per the First Information
Report, is that police got secret information that some accused
persons have assembled in the house of co-accused Krishdeo
Mandal and were planning to commit crime, raided the house of
the co-accused Krishdeo Mandal and recovered country-made



pistols from the possession of co-accused persons, namely Krishnadeo Mandal and Rahul Kumar Mandal. It has further been alleged that two motorcycles were also found parked near the house of the co-accused, Krishnadeo Mandal.

Learned senior counsel for the petitioner submits that from perusal of the FIR and seizure list, it would be evident that no fire arm or any incriminating material has been recovered from the possession of the petitioner and he has falsely been implicated in this case merely on the basis of the fact that he was standing near the house of co-accused Krishnadeo Mandal. He further submits that similarly situated co-accused persons, namely, Deepak Kumar Sah and Raj Deo Mandal have been granted bail by this Court *vide* Criminal Misc. Nos. 51582 & 53225 of 2021 respectively.

It is next submitted that the petitioner is in custody since 03.03.2021, 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 on behalf of the parties and taking into consideration the fact that similarly situated co-accused persons, Deepak Kumar Sah and Raj Deo Mandal have been granted bail by this Court, no fire arm and/or



incriminating material has been recovered from the possession of the petitioner, charge sheet has already been submitted, the petitioner is in custody since 03.03.2021 and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, RAUSHAN KUMAR YADAV, be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani/the court concerned in connection with Andhramath Police Station Case No. 23 of 2021.

(Anil Kumar Sinha, J)

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