

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50602 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- RAGHOPUR District- Supaul

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ASHOK YADAV @ ASHOK KUMAR @ ASHOK KUMAR YADAV S/o
Bhupendra Yadav R/o village - Dharhara, P.S.- Raghopur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 51152 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- RAGHOPUR District- Supaul

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ASHISH KUMAR YADAV SON OF GANESH KUMAR @ GANESH
YADAV R/O VILLAGE- BABHANGAMA WARD NO.-9, P.S.-
TRIVENIGANJ, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 50602 of 2022)

For the Petitioner/s : Mr.Patla Kumari

For the Opposite Party/s : Mr.Shailendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 51152 of 2022)

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Rajiv Nayan

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-12-2022 Learned counsel for the petitioners is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned

APP for the State.



The petitioners have preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code and 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, the police received information that 7-8 miscreants boarded on four motorcycles were planning to commit crime. After receiving the said information, the police reached there. On seeing the police, the miscreants tried to escape from there but four miscreants boarded on three motorcycles were apprehended by the police and three miscreants succeeded in fleeing away. On being interrogated, the apprehended persons disclosed their names as Kahnaiya Choudhary@Murari Choudhary, Birendra Kumar Yadav, petitioner no. 1 Ashok Kumar Yadav and petitioner no. 2 Ashish Kumar Yadav. From the search of the petitioner no. 1, a country-made pistol, two cartridges, an OPPO mobile and a motorcycle were recovered. From the search of the petitioner no. 2, two countrymade pistols with magazine, fifteen cartridges, one mobile and a motorcycle were recovered.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner no. 1 is accused in four other criminal



cases and the petitioner no. 2 is accused one other criminal case as stated in para 3 of the bail petition. The petitioners are in custody since 06.04.2022.

Learned A.P.P. for the State has opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Supaul in connection with Raghapur P.S. Case No. 138 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ayush/atul/-

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