

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53448 of 2022

Arising Out of PS. Case No.-93 Year-2022 Thana- PHULPARAS District- Madhubani

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ARUN KUMAR YADAV @ ARUN KUMAR SON OF LATE RAJENDRA
YADAV R/O VILLAGE- MURLI, P.S.- PHULPARAS, DISTRICT-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Phulparas Police Station Case No. 93 of 2022, registered for the
offences punishable under Sections 399/411/414 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 the police, on the basis of secret information that
some miscreants have assembled at the house of co-accused
Lalit Kumar Mandal and were planning to commit dacoity,
proceeded towards the place of occurrence and arrested the
petitioner along with other co-accused persons and from the
possession of the accused persons, mobile phones, one country-



made pistol and three live cartridges were recovered.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case by the police and no incriminating article and/or arms/ammunition has been recovered from the possession of the petitioner. He further submits that co-accused Lalit Kumar Mandal has been granted bail by a co-ordinate Bench of this Court, vide order, dated 16.12.2022, passed in Criminal Misc. No. 52172 of 2022. He further submits that the petitioner is in custody since 23.02.2022, having no criminal antecedent and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that no incriminating material has been recovered from the possession of the petitioner, charge sheet has already been submitted and the petitioner is in custody since 23.02.2022, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with



two sureties of the like amount each to the satisfaction of
learned 2nd Additional Chief Judicial Magistrate, Jhanjharpur,
Madhubani, in connection with Phulparas Police Station Case
No. 93 of 2022.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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