

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75245 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- GANGTA District- Munger

Rishav Kumar Yadav @ Rahul Kumar @ Rishav Kumar Son of Late Manoj
Yadav Resident of Village - Mathura, P.S. - Gangta, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Gangta P.S. Case No.
45 of 2024, instituted for the offences punishable under Sections
384, 385, 387/34 of the Indian Penal Code and Sections 25(1-B)
(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons armed with weapons
demanded extortion money.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused Barun Kumar and the same has got no evidentiary value. It is also submitted that one country made pistol has been recovered from the conscious possession of co-accused Barun Kumar who has already been granted bail by the Court below. The petitioner is in custody since 02.08.2024 and has got four criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gangta P.S. Case No. 45 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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