

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77763 of 2025

Arising Out of PS. Case No.-8 Year-2024 Thana- MADHEPUR District- Madhubani

Nakul Yadav @ Ashutosh Yadav Son of Ramashish Yadav R/o Village -
Birpur, P.S. - Madhepur, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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

ORAL ORDER

2 13-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Madhepur P.S. case No. 08 of 2024, G.R. No. 63 of 2024
instituted for the offences under Sections 399, 120B of the
Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms
Act.

3. As per the F.I.R., police, on the basis of secret
information reached at the place of occurrence and caught hold
two persons who disclosed their names as Rupesh Kumar
Paswan @ Bhola and Rajesh Kumar Paswan. On search, one
loaded desi katta was recovered from co-accused Rajesh Kumar
Paswan.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner was not apprehended on the spot. No incriminating article has been recovered from the conscious possession of the petitioner rather the recovery of one loaded country-made pistol has been made from co-accused Rajesh Kumar Paswan. Learned counsel further submitted that petitioner has got no concern with the recovered arms. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.03.2025 and has eight criminal antecedents. Other co-accused has been granted bail by this Court *vide* order dated 04-10-2024, passed in Cr. Misc. No. 72784 of 2024.

5. Learned A.P.P. 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, claim based on parity, as also 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of



Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhepur P.S. case No. 08 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)

Raj Kishore/-

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