

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42836 of 2019**

Arising Out of PS. Case No.-232 Year-2019 Thana- NARPATGANJ District- Araria

PINKU YADAV, Aged about 26 years, Male, Son of Tej Narayan Yadav,
Resident of Village Deviganj Ward No.03, P.S. Narpatganj, District Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 11-07-2019 Heard both sides.

Petitioner apprehends his arrest in Narpatganj P.S.
Case No.232 of 2019, registered under Sections 25(1-B) a, 26
and 35 of the Arms Act.

S.H.O. of Narpatganj P.S. disclosed that he got
information that Pawan Yadav and Pinku Yadav had kept arms
in their house for committing cognizable offence and on such
information, the informant and other police officials raided the
house of the petitioner. On search, one loaded country made
pistol is said to have been recovered from the bed under the
pillow of Pawan Yadav, the brother of the petitioner. No other
article was recovered from any other part of the house.

Learned counsel for the petitioner submits that from
perusal of the FIR, it would appear that the recovery of arms



was made from the bed of Pawan Yadav, the brother of the petitioner but because the petitioner is the brother of Pawan Yadav, petitioner has also falsely been implicated in the case on the allegation that the petitioner was also planning to commit some cognizable offence. Petitioner is not accused in any other case registered under the Arms Act although the petitioner has been made accused in Narpatganj P.S. Case No.174 of 2015, registered under Section 379 of the Indian Penal Code.

Taking into consideration the facts that the recovery was made from the bed of the brother of the petitioner but petitioner has also been arrayed as an accused, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria in connection with Narpatganj P.S. Case No.232 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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