

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25765 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- MAIRWAN District- Siwan

PRINCE KUMAR YADAV Son of Avdhesh Chaudhary Resident of Village -
Mahadeva Tola (Thpha) Ziradeyi, P.S. - Ziradeyi, District - Siwan.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Ms. Kumari Anupam, Advocate.
For the State : Mr. Braj Kishore Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 02-12-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Mairwa
P.S. Case No.67 of 2020 registered under Section 414 of the
Indian Penal Code besides Sections 25(1-b)a, 26 and 35 of the
Arms Act and Sections 37(b) and 37(c) of the Bihar Prohibition
and Excise Act.

The accusation is that in course of patrolling duty,
when the informant along with other police personnel reached at
Vijayeeपुर Turning, then saw two persons on a black colour
Apachi Motorcycle, who, on seeing the police party, started to
flee away. On chase, they were apprehended, who disclosed
their name as Vicky Kumar and Prince Kumar Yadav



(petitioner). On search, Vicky Kumar was found in possession of one mobile set, whereas the petitioner was found in possession of one country made pistol loaded with four live cartridges and one mobile set. On query, the petitioner disclosed that the motorcycle and the pistol are belonging to Kallu Yadav and he along with his associates used to commit loot. The smell of alcohol was also coming from the mouth of Vicky Kumar.

Learned counsel appearing on behalf of the petitioner submits that the petitioner and the co-accused Vicky Kumar have falsely been implicated in this case. The petitioner has no criminal antecedent and is in custody since 29.02.2020. Further submission is that the similarly situated co-accused Vicky Kumar Chauhan has already been granted the privilege of bail by a Coordinate Bench of this Court vide order dated 07.07.2020 passed in Criminal Misc. No.21502 of 2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan, in connection with Mairwa P.S. Case



No.67 of 2020. Out of the two sureties, one must be either
parents or the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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