

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8333 of 2021**

Arising Out of PS. Case No.-350 Year-2020 Thana- AMARPUR District- Banka

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KANAHAY YADAV @ KANHAIYA YADAV @ PRABHA NATH YADAV
SON OF SHARVAN YADAV RESIDENT OF VILLAGE - RAGHOPUR
TIKAR, POLICE STATION - NATHNAGAR (MADUSUDANPUR),
DISTRICT - BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Upendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-05-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Amarpur P.S. Case no.
350 of 2020 registered under sections sections 25(1-B)(a), 26
and 35 of the Arms Act.

As per allegation in the FIR, on secret information
having been received that some accused persons were making
plan to give effect to an occurrence, a raid was conducted. It is
stated that seeing the police personnel 3 to 4 accused persons
escaped while the petitioner was caught and a loaded country-
made revolver and three live cartridges were recovered from his
possession.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the possession of the petitioner and he has been falsely implicated in the case because of his antecedents. He is in custody since 25.6.2020 and charge sheet has been submitted in the case.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for more than 11 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Amarpur P.S. Case no. 350 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate/successor Court, Banka.

(Partha Sarthy, J)

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