

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16397 of 2022

Arising Out of PS. Case No.-13 Year-2021 Thana- SIMRI District- Darbhanga

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SUNIL YADAV @ SUNIL KUMAR SON OF RAM KISHORE YADAV R/O
VILLAGE- SIMRI, P.S.- SIMRI, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Udbhav

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-11-2022 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Simri P.S. Case No. 13 of 2021 dated 07.01.2021 instituted for the offences under Sections 25(1-b)a/26/27/35 of the Arms Act.

As per prosecution case, one Anil Yadav was arrested and at his instance, a loaded country made pistol is said to have been recovered from the fodder house said to be belonging to co-accused, Babban Yadav. It is further alleged that co-accused, Babban Yadav fired in the stomach of Ganesh Sah. Petitioner is only alleged to be present in the feast hosted by Babban Yadav.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the



conscious possession of the petitioner and he is no way concerned with the alleged recovery. Co-accused, Babban Yadav has already been granted anticipatory bail vide order dated 18.02.2022 passed in Cr. Misc. No. 28689/ 2021.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and nature of accusation against the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Additional Chief Judicial Magistrate-IV, Darbhanga in connection with Simri PS case No. 13/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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