

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19996 of 2022

Arising Out of PS. Case No.-268 Year-2021 Thana- BAKHTIYARPUR District- Patna

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TUSAR YADAV @ TUSHAR YADAV Son of Late Vijay Yadav Resident of
Village - Ghangh, P.S.- Bakhtiyarpur and Distt.- Nalanda. Permanent Address-
Resident of Village - Gongri Par, P.s.- Manpur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 25(1-b)a/26 of the Arms Act.

Prosecution case, in short, is that two country made
rifles are recovered from the house of the petitioner.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the
present case. Arms in question is said to have been recovered



from the joint house of the petitioner. The petitioner had no knowledge regarding the same. The name of the petitioner has transpired in this case on disclosure made by local Chaukidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. There is no recovery of arms from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, Patna in connection with Bakhtiyarpur P.S. case No.268 of 2021 (G.R. No.1801 of 2021), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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