

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43510 of 2021

Arising Out of PS. Case No.-195 Year-2021 Thana- PIRBAHOR District- Patna

VISHAL YADAV S/O BAIDHNATH YADAV @ BAIJNATH YADAV R/O
VILLAGE-MAKHANIA KUAN (BABU TOLA GALI), P.S-PIRBAHORE,
DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Pirbahore P.S. Case No. 195/2021 (G.R.No. 3116/2021), registered for the offence punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation is regarding recovery of 7.65



bore country made loaded pistol with six live cartridges, from beneath a bed lying in a room of the lodge in question.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 6.5.2021. The learned counsel for the petitioner has referred to paragraph no. 8 of the present petition to submit that the petitioner has got no connection with the said lodge and the petitioner has been falsely implicated in the present case. It is further submitted that the arm in question has not been recovered from the conscious possession of the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials



available on record as also considering the fact that the lodge in question from where the illicit arm has been recovered does not belong to the petitioner and moreover, the illicit arm has not been recovered from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on 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 CJM, Patna in connection with Pirbahore P.S.Case No. 195 of 2021 (G.R.No. 3116 of 2021).

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

