

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43430 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- MADHEPURA District- Madhepura

JHUNKILAL YADAV S/O LATE BRAHMDEO YADAV R/O VILLAGE-
SURMAHA, KISHANPUR, WARD NO. 03, P.S-SOURBAZAR, DISTRICT-
SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-02-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Madhepura P.S. Case No. 83 of 2021 for the offence registered
under Sections 25(1-B) (a), 26 and 35 of the Arms Act.

The allegation is regarding the police having intercepted
a motorcycle which was being driven by the co-accused person
and as far as the petitioner is concerned, he was sitting at the back
of the motorcycle. It is further alleged that upon search one
country made pistol with one live cartridge was recovered from
the possession of the petitioner.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 02.02.2021.
The learned counsel for the petitioner has further submitted that



till the lodging of the present FIR the petitioner was not having any criminal antecedent, however, after filing of the present case he has been falsely made an accused in three more cases though he is not named in the said FIRs. It is also submitted that the petitioner has already been suitably punished on account of the period of custody already undergone.

Per contra, the learned counsel 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 period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura in connection with Madhepura P.S. Case No. 83 of 2021.

(Mohit Kumar Shah, J)

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