

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46232 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- GWALPARA District- Madhepura

HARERAM KUMAR @HARERAM YADAV Son of Ravindra Yadav
Resident of Village - Panchhgachhiya, P.S.- Murliganj, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 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, Ms. Anita Kumari Singh.

The petitioner seeks regular bail in connection with Gwalpara (Arar O.P.) P.S. Case No. 150 of 2020, registered for the offence punishable under Section 25(1-b)A and 26/35 of the Arms Act.



The allegation is regarding the police having intercepted and apprehended the co-accused person, namely, Sintu Kumar and upon search, one country made pistol and some cartridges were recovered. It is alleged that upon interrogation, the said co-accused person, namely, Sintu Kumar, had disclosed the name of the petitioner to be one of his accomplice in commission of various types of crime.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 4.2.2021. The learned counsel for the petitioner has further submitted that neither any arms / ammunition have been recovered from the possession of the petitioner nor any specific allegation of commission of any sort of crime has been levelled against the petitioner and he has been roped in the present case merely on the basis of the confessional statement made by the co-accused person, namely, Sintu Kumar.



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 neither any arms / ammunition have been recovered from the possession of the petitioner nor the petitioner is stated to have committed any crime, 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 ACJM-II, Uda-Kishunganj, Madhepura in connection with Gwalpara (Arar O.P.) P.S. Case No. 150/2020.

(Mohit Kumar Shah, J)

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