

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53520 of 2021

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

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AKASH KUMAR YADAV S/o RAJU YADAV R/o BABU TOLA GALI,
GOVIND MITRA ROAD, P.S-PIRBHAI, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Mohan, Advocate

For the Opposite Party/s : Dr. Indivar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-01-2022 Heard the learned counsel appearing for the petitioner and
learned A.P.P. for the State.

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

The allegation is regarding the police having raided a
room of the lodge in question whereupon 7.65 bore country
made pistol and six live cartridges were recovered from beneath
a bed lying in the said room of the lodge in question.

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 06.05.2021.
The learned counsel for the petitioner has referred to paragraph
no. 7 to 11 of present petition to submit that neither any illicit



arms nor the live cartridges have been recovered from the conscious possession of the petitioner and in fact the petitioner was also not arrested from the said place inasmuch as he is staff of Sonu Medical shop situated near the said Pathak lodge. Lastly, it is submitted that the petitioner is not having any room in the said lodge in question and he has been falsely implicated in the present case.

Per contra, the learned A.P.P. 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 as also considering the fact that no illicit arms/live cartridges have been recovered from the conscious possession of the petitioner and the room in question, according to the petitioner, does not belong to him apart from the fact that he is stated to be merely working in Sonu Medical shop situated near the lodge in question, I deem it fit and proper to direct for release of the petitioner 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 Judicial Magistrate-1st Class, Patna



in connection with Pirbahore P.S. Case No. 195 of 2021.

(Mohit Kumar Shah, J)

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