

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66861 of 2021**

Arising Out of PS. Case No.-272 Year-2019 Thana- PIRPAINTI District- Bhagalpur

KURSHEL YADAV Son of Sri Dwarika Yadav Resident of Village-
Madhuban Tola, P.S.- Pirpainti, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 27-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 399, 402 and 34 of the Indian Penal Code read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 20.12.2020, charge-sheet has been submitted in the case and has antecedent of six cases.

Learned counsel for the petitioner submits that the informant alleges that four accused were apprehended from whom arms and cartridges were recovered and they disclosed the name of the petitioner who fled with arms and ammunitions.

Learned counsel for the petitioner submits that



admittedly the petitioner was not arrested from the spot and his name was disclosed by the apprehended accused. It is submitted that the police got the petitioner implicated falsely in the case because of his antecedents through the co-accused by forcing them to disclose the name of the petitioner.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 20.12.2020, charge-sheet has been submitted in the case, he was not arrested from the spot and his name came in the confessional statement of co-accused, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pirpanti P.S. Case No. 272 of 2019 with a condition that one of the bailors of the petitioner shall be his father, Dwarika Yadav.

(Satyavrat Verma, J)

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