

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5074 of 2023

Arising Out of PS. Case No.-226 Year-2022 Thana- KHAIRA District- Jamui

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Jitendra Yadav @ Jitendra Kumar @ Jitendra Kumar Yadav S/O Ishwer Yadav
Resident Of Village- Ramatola, P.S.- Gidhour, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 401, 414 of the Indian Penal Code and Section 25(1-b)A, 26, 35 of Arms Act.

According to the FIR, the petitioner along with co-accused were caught while they were committing offence. From possession of this petitioner, one loaded country made pistol including one live cartridge was recovered. Thereafter, from house of the petitioner, cash of Rs., 45,000/- was also recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no



concern with the alleged arms which was seized by the police and so far as cash of Rs. 45,000/- is concerned, the petitioner claims that the same is his own money. It is further submitted that the prosecution party has not followed properly the provision of section 100 of the Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 29.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khaira P.S. Case No. 226 of 2022 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., Jamui.

(Sunil Kumar Panwar, J)

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