

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20388 of 2023

Arising Out of PS. Case No.-234 Year-2022 Thana- JAYNAGAR District- Madhubani

GURUDEO KUMAR YADAV @ NITISH KUMAR @ GURUDEO
KUMAR @ NITESH KUMAR Son of Ram Kumar Yadav Resident of
village-Narar Chhapradhi, P.S.-Khajauli, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Jainagar P.S. Case No. 234 of 2022 registered under sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

As per FIR, allegation against the petitioner along with co-accused persons is that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested them. On search, one loaded country made pistol along with one moible recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to ill motive of police. The petitioner has no concern with the alleged recovery arms or with co-accused persons. There is no consistent material came against him to implicate in this alleged offence. Similarly situated co-accused namely, Manoj Kumar Yadav has already been granted bail by this Court vide order dated 28.3.2023 passed in Cr. Misc. No. 1630 of 2023. Moreover, he is languishing in judicial custody since 22.07.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Jainagar P.S. Case No. 234 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani.

(Sunil Kumar Panwar, J)

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