

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29662 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- KINJAR District- Jehanabad

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Jitendra Yadav @ Jitendra Kumar Son Of Bhuwaneshwar Yadav Resident Of
Village - Sikandarpur, P.S. - Bihta, Distt. - Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma

For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 25(1-b)a, 26/35 of the Arms Act.

3. As per the prosecution case, when the information along with other police personnel was checking vehicle. In that course, two Scorpio loaded with illegal arms were seen coming towards Kinjar. They signaled to stop the vehicles but driver and sitting person of one of the Scorpio were managed to escape. From the Scorpio fire arms ammunition and mobiles were seized and seizure list were prepared. Allegation against the petitioner is that he along with other co-accused persons used to run illegal trade of arms and ammunition in the locality.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case.



The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that two persons apprehended by the police, who disclosed the name of the petitioner. He further submits that there is no incriminating article has been recovered from conscious possession of the petitioner. Similarly situated co-accused has been enlarged on bail by this Court vide order dated 16.05.2023 passed in Cr. Misc. No. 15407 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Kinjar P.S. Case No. 96 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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