

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28375 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- KASIMBAZAR District- Munger

=====

Dharamveer Yadav @ Dharamveer Kumar Son of Late Brahmdev Prasad
Yadav @ Brahmdev Yadav Resident of village - Sandalpur, P.S. - Kasim
Bazar, Distt. - Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Verma, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Kasim Bazar P.S. Case No. 172 of 2022 dated 25.06.2022
registered for the offences punishable under Sections 25(1-b)a,
26(i)(ii) and 35 of Arms Act.

3. The main submissions advanced by learned
counsel for the petitioner are that though the petitioner is named
in the FIR but against him there is no serious allegation and he
is alleged to have given the alleged firearms to the co-accused
persons Saurav Kumar @ Sarabhi and Vikash Yadav and the
said allegation surfaced in the statements of the said co-accused
persons who were arrested in connection with the investigation



of murder of a woman and except the said statements of co-accused persons, there is no any material against this petitioner and moreover, the said statements have no evidentiary value and the petitioner was neither arrested at the spot of recovery nor any incriminating material was recovered from his possession after his arrest in the present matter and the alleged offences of Arms Act mentioned in the FIR are not made out against him, though against him there are criminal antecedent of five cases out of which he has got bail in four cases and in the present matter, he has been languishing in jail since 10.10.2022 and against him, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the facts that the name of this petitioner came into light in the statements of above-mentioned co-accused persons and in respect of petitioner's involvement in the alleged crime, the prosecution is mainly relying upon the said statements as appears from the FIR and also taking into account the completion of the investigation against the petitioner, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing



bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Kasim Bazar P.S. Case No. 172 of 2022.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

