

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32238 of 2023**

Arising Out of PS. Case No.-139 Year-2023 Thana- KANTI District- Muzaffarpur

SIPIN YADAV Son of Shambhu Ray Resident of village - Delua, P.S.- Paroo,  
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Braj Kishore Pd., A.P.P.

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      21-06-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Kanti P.S.  
Case No. 139 of 2023 dated 20.02.2023, instituted for the offence  
punishable under Sections 401 of the Indian Penal Code and  
Section 25(1-b)a, 26, 35 of Arms Act.

3. The allegation against the petitioner is that one Auto  
Pistol and two live cartridges have been recovered from the  
possession of the petitioner. Further, one Pistol and two live  
cartridges have been recovered from the possession of the co-  
accused.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in this  
case. Learned counsel for the petitioner submits that nothing has



been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner submits that present case has been lodged only on the basis of the suspicion and assumption and as such, no case under Section 401 of IPC and as well as under the Arms Act is made out against the petitioner. Learned counsel for the petitioner submits that the petitioner has not made any confessional statement before the police, but the police force has taken his signature on blank paper forcefully and that has been converted into his confessional statement. Lastly, it has been submitted that the petitioner is in custody since 21.02.2023 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1<sup>st</sup> class, (West) Muzaffarpur, in Kanti P.S. Case No. 139 of 2023.

**(Khatim Reza, J)**

premchand/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

