

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32700 of 2023**

Arising Out of PS. Case No.-173 Year-2022 Thana- BIND District- Nalanda

Shankar Yadav Son Of Late Rambriksh Yadav @ Ramvriksha Yadav Resident
Of Village- Kayampur, Ps- Rahui, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 07-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bind P.S.
Case No. 173 of 2022 registered for the offence under Sections
25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.11.2022.

The allegation against the petitioner is to have in
possession of one country made pistol alongwith one live
cartridges.

Learned counsel appearing on behalf of the petitioner
submitted that alleged firearm not appears to be recovered from



the conscious physical possession of this petitioner, as per seizure list, which is not supported by independent witnesses rather by police personnels. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of nature of allegation coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 22.11.2022, accordingly, above named petitioner is directed to be released on bail in connection with Bind P.S. Case No. 173 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 learned Judicial Magistrate-III, Nalanda at Bihar Sharif/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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